

SENATE—Monday, May 9, 1994

(Legislative day of Monday, May 2, 1994)

The Senate met at 3 p.m., on the expiration of the recess, and was called to order by the Acting President pro tempore [Mr. MATHEWS].

The ACTING PRESIDENT pro tempore. The prayer this morning will be offered by the Reverend Richard C. Halverson, Jr.

PRAYER

The Reverend Richard C. Halverson, Jr., of Falls Church, VA, offered the following prayer:

Let us pray:

Almighty God, may each person here, along with their associates elsewhere in the Senate, be reminded of their value to one another. When their work seems routine, may each realize that You have led them here for a purpose. As working relationships sometimes grow tense, remind them of their importance to one another—from the least to the greatest.

We give thanks for the leadership of the Senators and their staffs; the Officers of the Senate and their staffs. We thank Thee for those who deliver messages and run errands. We are grateful for those who record, publish and file our proceedings; and for those who oversee the orderly procedure of each day's business.

Remind us, Lord, that the smallest acts of kindness bear eternal fruit, and quiet words and deeds of love yield heavenly results. What progress could be made without the care of those who clean and maintain our buildings and grounds? Where would we be without the vigilant watch of our police and security officers? And to whom would we turn in the absence of those who prepare and serve our meals; order and repair our furnishings; keep our doors and guide our visitors?

Lord, may Thy Word concerning the Body of Christ bear some application to the body of the Senate when it says, " * * * now are they many members, yet * * * one body." One member " * * * cannot say * * * I have no need of you * * *. Nay, much more those members of the body, which seem to be more feeble, are necessary * * *. For * * * God hath tempered the body together * * * that the members should have the same care one for another. And whether one member suffer, all the members suffer with it, or one member be honored, all the members rejoice with it."—I Corinthians 12:20-21; 24-26.

In Christ's name, Amen.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 3:30 p.m., with Senators permitted to speak therein for not to exceed 5 minutes each.

The Chair, in his capacity as a Senator from the State of Tennessee, suggests the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HELMS. I thank the Chair.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, before we ponder today's bad news about the Federal debt, let us do what I have done a time or two before. Let us have a little pop quiz. How many million would you say are in a trillion?

When you figure that out, just consider that Congress has run up a debt now exceeding \$4.5 trillion.

To be exact, as of the close of business this past Friday, May 6, the Federal debt stood—down to the penny—at exactly \$4,571,838,912,004.05. This means that every man, woman, and child in America owes \$17,536.04, computed on a per capita basis.

Now, Mr. President, to answer the question how many million in a trillion, there are a million million in a trillion. And I remind you, Mr. President, that the Federal Government, thanks to the U.S. Congress, where we work, owes more than \$4.5 trillion.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The absence of a quorum has been suggested. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

A BIRTHDAY TRIBUTE TO DR.

STEPHEN A. FREEMAN

Mr. JEFFORDS. Mr. President, I would like to pay tribute to one of my constituents, Dr. Stephen A. Freeman, who celebrates his 96th birthday today. I would like to join his family and friends in wishing him continued good health and happiness in the coming year.

Steve has dedicated his life to a cause that I believe has been greatly underemphasized in this country—the teaching of foreign languages. Most of his career has been spent at Middlebury College, which during his lifetime has become one of the Nation's premier institutions for study of foreign language and literature.

Just a year ago, President John M. McCardell, Jr. and the Middlebury College Board of Trustees joined Steve and his family and friends to celebrate the opening of the Stephen A. Freeman International Center. This center houses Russian, German, and other foreign studies, focusing on an interdisciplinary approach to the study of languages through a close association with the teaching of the history, literature, and culture of these countries.

This center was named for Steve in recognition of his 45 years of active service to Middlebury College, during which time he was instrumental in creating the college's international reputation. Steve served in many capacities at the college. For 38 years he was professor of French, for 24 years director of the language schools, vice president of the college for 20 years, and on three critical occasions, acting president. He is still vitally interested in the college and is one of its most enthusiastic supporters.

Steve has been known nationally and internationally for his leadership in programs and associations to improve the teaching of foreign languages. In Middlebury's summer language program, he helped to found the Italian and Russian Schools, and went on to found the Chinese and Japanese Schools. He established Middlebury's first graduate schools abroad: the School of French in Paris and the School of Spanish in Madrid, and later the School of German in Mainz and the School of Italian in Florence. Steve was the driving force behind the development of the Sunderland Language Laboratory, a pioneer language teaching facility.

Steve's work has been recognized both at home and abroad. He has honorary degrees from the University of

Vermont, Norwich University, McGill University, Dickinson College, and Middlebury College. For his service in the field of French language teaching he was awarded the high honor of both the French Legion of Honor and the Palmes Academiques by the French Government.

Before the turn of the century, this energetic man was born the son of a postman, and with the aid of scholarships, earned his way through Harvard University. He graduated Phi Beta Kappa with a double Summa cum laude in the class of 1919. During World War I, in the earliest days of flying, he volunteered for Naval Aviation, and was commissioned ensign #1091. He was an instructor at Pensacola, FL, and did patrol and convoy work at New York harbor until the Armistice. He loved to fly, and as one of the oldest living World War I naval aviators, has recently enjoyed writing about his experiences. During World War II, he served as chief of the liberal arts section of the U.S. Army University in Biarritz, France and from 1948 to 1956 he was colonel of a Reserve Military Intelligence Unit on Middlebury's campus.

Steve and his wife Ruth were for many years avid world travelers, circling the globe twice. There are few countries in the world they have not explored. But they kept coming back to Middlebury, their beloved home. Steve loves to tell the story of how his Harvard mentor advised him, when he was first hired by Middlebury, "Don't buy a house there—you won't be likely to stay there that long!" Sixty nine years later he is still very involved in college activities and has maintained a long-standing, vigorous interest in town affairs. Steve has served on the board of Porter Hospital, as moderator of the Mary Hogan Elementary School and the Middlebury Congregational Church. He continues to be active with the Middlebury Rotary Club and the Ilsey Town Library. His roots are deep in Vermont.

Steve continues his obsession with intercultural communication. At 96 years of age, he reminds us that there is much work to be done. Let me quote briefly from an address Steve gave on the occasion of his acceptance of the Bicentennial Award of the Vermont Education Association on September 10, 1976. His remarks were enthusiastically greeted at the time, and I believe are very relevant today:

We must now admit the tragic fact that we do not have a global community . . . America needs a whole people who are willing to listen and try to understand the minds and hearts of our neighbors—white, black, brown or yellow; rich or poor, strong or weak; in Vermont or Detroit, Mississippi or Washington; in Russia or China or India, England or Angola or Lebanon: our brothers wherever they are. We must learn about them, try to talk their language, listen to their hopes, their fears, their minds; learn from them and try to comprehend their ways of speaking

and thinking and doing. This is our task—global communication for a global community.

As many events of the past year have demonstrated, in spite of improved communication technology, we are still far from being a global community. We all benefit from the vision and inspiration provided by those like Steve who have spent their lives laboring to break down barriers between peoples. How fitting it is that the plaque that hangs in the new Stephen A. Freeman International Center quotes from another of his writings: "Let us build bridges."

UNITED STATES-RUSSIAN RELATIONS

Mr. DOLE. Mr. President, as the world focuses on the continuing tragedy in Bosnia, we should not forget the importance of events elsewhere in the world. My distinguished colleague from Kentucky, MITCH MCCONNELL, recently spoke on United States-Russian relations. Senator MCCONNELL, the ranking member of the Appropriations Subcommittee on Foreign Operations, is one of our leading voices on foreign policy—especially on relations with Russia. I guess that is why the New York Times and Washington Post accuse him of being a bear-baiter and a cold warrior.

As Senator MCCONNELL'S speech makes clear, there is certainly an alternative to the "Russia first policy" followed by the United States under the direction of Strobe Talbott. Senator MCCONNELL'S speech lays out a number of specific proposals for reshaping our policies—a new focus for assistance, moving beyond Moscow, opposing Russian imperialism. I was impressed by Senator MCCONNELL'S analysis, and by his recommendations.

I urge my colleagues, and those responsible for foreign policy in this administration, to review Senator MCCONNELL'S remarks and ask unanimous consent that his speech be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

[From the Harvard-Columbia Arden House Conference on American-Soviet Relations, Apr. 16, 1994]

COMMITMENT—NOT CAPITULATION

(By Senator Mitch McConnell)

INTRODUCTION

A funny thing happened to me on the way to give this speech: I was mugged by the New York Times. You may have seen it, two days ago, where the Times criticized my recent statements on Russia policy, characterizing them as "bear-baiting," "confrontational," and "thinking in cold war categories."

Of course, in my line of work, the only thing worse than being pilloried is being ignored, so I took some comfort in reading about myself in the Times—especially since I had some rather illustrious company: the editorial lumped my views together with

those of former National Security Advisor Zbigniew Brzezinski, who has played a major role in the development of this program.

But, there was another reason why I am pleased by the New York Times editorial, because it affirmed that there is more than one point of view when it comes to U.S. policy toward the New Independent States. There is, in fact, a wide-ranging debate going on about how we should deal with this part of the world; and I believe that serious discussion of these divergent viewpoints is healthy for our foreign policy.

With that in mind, I welcome the opportunity to share with you my view of the situation in the former Soviet states, and the proper course this country should take in response. First, I would like to review the remarkable changes and current trends; then focus on the Administration's priorities and policies; and finally, make some recommendations on how we must correct our course if the U.S. is to play a constructive role in advancing common interest in regional stability and the prospects for political liberty and economic prosperity.

THE CHANGING LANDSCAPE

Although there is a common chord which resonates through the changes occurring in all fifteen republics, I want to focus attention on Russia. For all of us, it has been convenient to refer to the dramatic events of the last half-decade in broad, sweeping terms. We speak of the collapse of communism, the birth of democracy, and the triumph of free-market capitalism. We are comfortable pigeon-holing complex trends with buzz-words like "glasnost" and "perestroika." But if our policy in the region is to be effective, we must realize that there are three very distinct transitions underway: one political, one economic, and one relating to Russia's definition of her security.

The Russian people, no longer dominated by a totalitarian dictatorship, have had the opportunity to elect their President and Parliament. Nevertheless, elections in and of themselves are no guarantee of basic individual liberties or political freedom, both essential to the endurance of a democracy. Further, it remains to be seen whether hopes for democracy will be corrupted by chauvinism—or undermined by ethnic nationalism, failed political leadership, or lack of consensus on the principles of good government. While President Yeltsin and his ministers express concern about the status of Russian minorities abroad, the real test of their commitment to democracy and civil rights is their willingness to protect religious and ethnic minorities at home. Zhirinovsky has been spreading a lethal strain of anti-semitism—and it remains to be seen whether Russia as a nation will embrace or repudiate those views.

Russia's economic transition presents an even murkier picture. Beginning with Gorbachev, the Russian political leadership has declared its desire to relax the controls of a state-planned economy. But while free markets, private enterprise and open trade are very much part of the public lexicon, they remain as goals rather than functional reality. Corruption, government subsidies, organized crime, the absence of a rational commercial code, and limited banking facilities all dampen the prospects for a flourishing free market.

The third uncertain transition can best be described as Russia's own sense of itself. An inchoate identity emerged as early as February 1993, when President Yeltsin called upon the U.N. and other international organizations "to grant Russia special powers as

a guarantor of peace and security in the regions of the USSR." Variations on this theme have been enunciated by a number of senior officials, but most clearly by Foreign Minister Kozyrev when he addressed the U.N. General Assembly last fall. His explication of Russia's rights in the so-called "near abroad" unequivocally signaled the subordination of the territorial integrity and political independence of the regional republics to Russian interests. Here again, I believe the transition is in flux, with the prospects for regional stability hanging in the balance.

THE U.S. RESPONSE

So far, I have emphasized that the changes we have seen in Russia are far from being settled or complete. This dynamic state of play raises two obvious questions. First, should the U.S. commit its political and economic resources to obtain the most positive outcome on each transition track? And second, if the answer to the first question is yes, then how?

As the Senate Republican manager of the 1994 foreign operations appropriations bill, which included President Clinton's request for \$2.5 billion in aid to NIS, I have given my preliminary, affirmative answer to the first question. We can and we should make a serious commitment to promote free markets, democracy and respect for national sovereignty. As former President Richard Nixon has pointed out, "Russia is the only nation in the world which can destroy the United States. Therefore, Russia remains our highest foreign policy priority."

Although the nuclear nightmare could stand alone as justification for active engagement, I believe it serves a number of interests to open Russian markets and minds to the virtues of our 208-year-old experiment.

At the same time, I must part company with this Administration in answering the second question of how we should proceed. As the architect of the President's Russia policy, Strobe Talbott has advocated a point of view which is notable only for its unrelenting consistency, regardless of the facts. For more than twenty years, Mr. Talbott has advanced the notion that a reform-minded, moderate corps of political leaders are the guardians of democratic, free-market hopes. Presently, Boris Yeltsin stands at the top of this political pyramid, and has become the symbol of success for Russian-American policy. The Administration is bound by the notion that any criticism of Yeltsin or his policies fuels dangerous hard-line fires. I have diagnosed this syndrome as "Moscow myopia."

Unfortunately, the harmful consequences of this myopia are fairly evident on all three transition tracks. Let me review the problems I see, and on each track outline some constructive alternatives.

SUPPORTING PRINCIPLES VS. PERSONALITIES

First of all, it was obvious that the Administration was caught off-guard by the results of Russia's November elections. In a series of contradictory and confusing statements, Administration officials characterized the results—especially Zhirinovskiy's ascendancy, as an inconsequential protest vote, an indication that we ought to "go slow" on reform, and evidence that we are on the right course. Nevertheless, the President and his advisors seemed to realize that something was happening which they had not anticipated. Even though the Administration still seems obliged to apologize to Yeltsin's erratic performance, the November elections were a useful wake-up call for everyone.

Further, it's becoming clearer every day that Boris Yeltsin is not the only Russian

leader who both has a following at home and is friendly to the United States. Just as Boris Yeltsin came on the scene as a relative unknown, dozens of other capable Russians are emerging who have political vision and leadership potential.

Some, like Nikolai Travkin and Gregory Yavlinsky—who spoke here yesterday—have expressed presidential ambitions. Recent history provides ample evidence that there is no shortage of charismatic figures—both good and bad—who can capture popular political attention.

If only for that reason alone, it seems obvious to me that we must extend our official reach beyond Moscow circles. We also must continue to support programs that train parliamentarians in constitutional and legislative processes. We have increased funding for such programs—as well as for efforts to develop grassroots organizations that give citizens a voice on issues as far ranging as education and health care. Building participatory political institutions increases the prospects for democracy's survival.

PROMOTING ECONOMIC GROWTH

On the other hands, our traditional economic assistance to Russia continues to suffer acutely from Moscow myopia. Although the Administration has emphasized that 75% of our aid flows through non-government spigots, the troubling fact is the largest single commitment of U.S. resources has been to high-priced American consultants involved in the mass privatization voucher program based on Moscow.

So far, privatization has merely involved a transfer of ownership of assets. Since they cannot produce statistics on how many of these privatized concerns are still viable, Administration witnesses concede that most of them continue to be subsidized by the state. In a harsh inflationary economy, the higher unemployment which might be triggered by eliminating these subsidies is a risk which the Russian government has been understandably unwilling to take.

Private enterprise also has been frustrated by a weak regulatory infrastructure to protect investments, trade and commercial transactions. To date, U.S. policy has emphasized transfer of ownership without adequate attention to the commercial setting in which business is attempting to function.

If we are to assist the transition from communism to capitalism, our aid program must change. It is my view the Administration must accept the premise that the private sector will be largely responsible for the pace and scope of economic change. No amount of grants or loans from the U.S. or international institutions can independently keep Russia afloat. To invest, create jobs, and expand growth, the business community must have confidence in the commercial environment, including fair tax treatment, timely payment for services, and respect for contractual obligations.

The conference report on foreign operations last year recommended that our assistance be made conditional on such key assurances. This year, I think we should make certain that these conditions have been met and take further steps to promote economic growth.

Specifically, I believe U.S. assistance must target three areas. First, we should help draft a national tax and commercial code which encourages private enterprise. Yes, I am suggesting we send Russia more lawyers. After all, it's basic economic rule that when you have a surplus of something, you should export it.

Seriously, though, let me give you just one example of how urgent this need is: I re-

cently learned that an American company's \$116 million investment was in jeopardy because the Russian tax code was changing on a *monthly* basis, local taxes consumed a fifth of its revenues, the company was required to convert half of its dollars to rubles, it paid a separate tax on any profit, a 28% value-added tax and a 60% corporate income tax. That ought to put in perspective the anguish we all felt yesterday!

In connection with making Russia's tax and commercial laws more palatable to private enterprise, we should help the government strengthen its enforcement system. Good laws mean nothing in the absence of a viable, independent judicial system.

Second, we should assist in the development of independent and stable financial institutions, including banks and credit unions. Obviously, this issue is tied up with macroeconomic issues like currency stabilization and monetary policy. Nevertheless, we should be laying a foundation to help businesspeople who complain that they have to carry suitcases full of cash because there are no facilities to secure deposits.

Third, our development aid should be coordinated with major private equity investments to maximize our impact on the growth of free enterprise and the quality of life of average citizens. Let me describe how this would work. Let's assume an oil company has agreed to a major investment in Western Siberia. In most rural areas there are serious inadequacies in transportation, water and food supply, social services, education, and housing. An impoverished infrastructure, in turn, dampens a community's productivity and prospects for revenue generation.

I propose that the Agency for International Development should work side-by-side initially with the top ten U.S. corporations with major equity investments. A.I.D. would assume a three- to five-year diminishing investment in a community's infrastructure, with the aid curve declining as expectations of corporate production and local revenue grow. In other words, as a community prospers, it would "graduate" from U.S. aid.

We are all aware of the growing anti-American sentiment rippling through Russian society. To some extent, this is a reaction of disappointed expectations: when the press reported we would deliver \$2.5 billion, many in Russia wondered when their personal check from Uncle Sam would arrive in the mail. But simmering anti-Americanism is also a reaction to intolerably difficult living conditions. I am not sure there is misery index adequate to express what it must be like to live in a country where half the water is undrinkable and 75 percent of the average Moscow family's income is spent on food. It's my hope that the joint ventures we intend to create between A.I.D. and the private sector would go a long way toward improving the Russian quality of life, as well as Russian perceptions about the value of American aid.

One final concern about our economic aid program has been the Administration's Russia-first bias. Of the \$2.5 billion in aid appropriated last year, just over \$1 billion has been committed to projects, though not actually disbursed. Despite legislative recommendation that at least a third of the \$2.5 billion be spent in the fourteen other republics—and a requirement that not less than \$300 million be made available to Ukraine—virtually all of the \$1 billion has been committed to activities in Russia alone.

When it comes time to slice the foreign aid pie next year, I will insist that we meet our legislative commitments to the fourteen other republics. Not only can we have an im-

mediate, meaningful effect in nations with smaller populations and economies, but such a shift is essential to demonstrate our commitment and further our interests in the region.

U.S. RESPONSE TO RUSSIAN FOREIGN POLICY

Money is not the only issue, however. Russia has enjoyed first place not only in our apportionment of foreign aid, but also in our acquiescence to Russia's ever-expanding definition of its national interest in the region. As I mentioned earlier, Russian leaders began to reclaim superpower status a year ago. Two factors have framed and expanded these designs.

First, a complex amalgam of history, national pride, economic hardship—and legitimate concern about ethnic Russians who have been suddenly exiled by a redefinition of borders—have enabled some leaders—most notably Zhirinovosky—to twist nostalgia for security into spirited neo-imperialism. Although this strain of malignant nationalism has attracted some support, it is still relatively shallow. Steady economic growth is the best cure for this particular political virus.

But there is a second, potentially more troubling factor which is fueling Russia's expansionist rhetoric and policy. During the February "Group of Seven" meeting, Economic Minister Alexander Shokin drew attention to Russia's recent diplomatic efforts in Sarajevo. He argued that Russia's superpower status should be the decisive factor in according Russia equal treatment and membership in the G-7. While acknowledging the need for economic reforms, Shokin was clearly leveraging Russia's security role to buy economic status.

This purposeful linkage between security and economic status was echoed twice this week. Presidential spokesman Kostikov told journalists that joining the Partnership for Peace should be tied to Russian acceptance in the G-7. On Wednesday, President Yeltsin himself indicated that Russia may not join the Partnership, partly because of ruffled feathers over consultation on the Bosnian air strikes. But, he also linked the Partnership question to access to Western markets, and complained about "discrimination."

The fact that Russia is apparently leveraging its nuclear status for economic advantage should be considered in the context of the Clinton Administration's accommodationist policy toward Moscow.

For the past year, the U.S. has taken a course of overbearing regard for Russian sensitivity about its security position. We overlooked direct Russian military support for Abkhazi rebels, effectively destabilizing Georgia. During that time, President Shevardnadze wrote me with an urgent plea for help. He had earlier asked the Administration to intervene, urging President Clinton to salvage hope for democracy in Georgia by pressing Russia to cease and desist. While the Administration chose to ignore him, I offered an amendment to the foreign operations bill linking U.S. aid to the recipient country's respect for national sovereignty and territorial integrity. My amendment passed—despite the Administration's objections that it would offend Moscow.

When Shevardnadze came to see me last month, we discussed where we needed to go from here. He shared my concerns about Russia's aggressive role in the region and our government's deferential response. Let me give you a few more examples. When we had the opportunity to expand NATO's security umbrella by welcoming the admission of former Warsaw Pact nations, the Adminis-

tration deliberately punted, citing concerns about the ascendancy of reactionary forces in the Russian Parliament. Instead, President Clinton came up with the Partnership for Peace—or, as I call it, "NATO-Lite." As a result, we missed a major opportunity to establish peace and security in Eastern Europe on our terms, and we once again allowed Moscow to effectively shape our foreign policy.

Another example: we took no umbrage at Russia's intentional, crippling withholding of energy to Ukraine; in fact, we collaborated with Moscow by insisting that U.S. aid was *exclusively* linked to Ukraine's turning over its nuclear weapons. More recently, when asked if it was reasonable for the Russians to link troop withdrawal from the Baltics to the status of Russian minorities, Secretary Christopher's reply was astonishing: the Russians' concern was "understandable and legitimate," and they should be treated with "generosity."

As Russia turns up its neo-imperialist rhetoric, the Clinton Administration's acquiescence is both disappointing and destabilizing. Our failure to challenge Russian regional ambitions only heightens the anxiety in the Baltics, the new republics and all of Europe, which in turn aggravates ethnic and national tensions.

Moreover, the lack of any predictability to Russia's exercise of its special status could compromise our interests beyond the European theater. No one was more surprised than Prime Minister Rabin when Foreign Minister Kozirev arrived in Israel, unannounced and unannounced, to promote the PLO negotiations.

Yet the Administration has obstinately refused to challenge Russia's growing hubris or to decouple the three policy tracks, fearing that any perceptible shift would weaken Yeltsin and his like-minded reformers. Any change in policy could cause us to lose Russia altogether, they claim.

However, this argument blurs the line between Russia's legitimate interest in political and economic reforms—which merit our support—and emerging neo-imperial goals which clearly do not. We have incorrectly linked Yeltsin's survival to giving him free regional rein and nothing less than unconditional political and economic support.

The record over the past year suggests that appeasement may only strengthen the hand of extremists, exacting further concessions from Yeltsin and jeopardizing the course of reform. I have said before, as has Henry Kissinger and others, that it is *not* the drawing the bright lines that provokes and inflames nationalism, it is *ambiguity* about our principles and commitments that invites extremists to test the limits of our interests and our resolve.

For that reason, I believe it is extremely important that our policy in the New Independent States place a premium on the territorial integrity and economic and political sovereignty of each the new democracies. That is why I recently amended the Budget Resolution to include language expressing U.S. opposition to Russia's efforts to establish a sphere of influence in Europe through economic coercion, political intimidation, or force. In both Eastern and Central Europe, I believe independence is the key to stability, and therefore to our own interests in the region.

SECURING AMERICAN INTERESTS

Now, to answer the question that Shevardnadze and I discussed last month: where do we go from here?

First, we should expand NATO to include the Visegrad nations. Now, I am enough of a

realist to know that this is unlikely to happen soon. In the interim, a common framework agreement should be developed so that all nations understand precisely what is expected of them in order to join. The agreement should specify not only the type and frequency of joint military activities, but also NATO's political expectations such as the submission of transparent defense budgets and civilian control of the armed services. At present, the Administration has encouraged each nation to negotiate separate agreements for participation. This piecemeal approach will only lead to confusion, competition, and friction down the road.

Second, to bridge the gap between NATO and the current military capabilities of the Warsaw Pact nations and the new republics, we should substantially expand our military education and training programs, known as IMET. Training should include exposure to our traditions of professionalism, as well as more technical education in areas such as military planning, command and control, and equipment maintenance and operations. I found it interesting that the Administration is planning to give Georgia only \$75,000 in IMET—a nation where we have vital strategic interests—compared with \$100,000 in IMET for Benin, where I am somewhat unclear of our mission.

Third, once countries are committed to the Partnership, we can begin to establish eligibility standards for obtaining NATO excess defense articles, and equipment "cascaded" as a result of the Conventional Armed Forces Treaty. Obviously, this does not mean that we begin by providing F-16s to Bulgaria, but there are prudent ways to proceed. Let me cite one example. Currently, Germany possesses millions of rounds of Soviet-style weapons ammunition, stored in former East German warehouses. The nation of Latvia, whose army carries Soviet-made firearms, is issuing its soldiers just five rounds of ammunition monthly for training purposes. There ought to be some kind of clearinghouse or other mechanism for the coordinated—and controlled—transfer of useful supplies.

I recently met with Poland's Minister of Defense, who mentioned the need for standardizing communications systems if the Partnership is truly going to work. I'm sure there are a number of other areas where we could transfer equipment to bolster both confidence and coordination.

Each of these security initiatives represents an opportunity to enhance stability and cooperation in Europe and the NIS. Obviously, they depend upon recognition of the fact that the U.S. can pursue its security interests parallel with the promotion of economic and political progress in Russia. The tracks should be separate, but they are certainly not mutually exclusive.

For the past year, U.S. foreign policy and funding priorities have focused exclusively on Russia and unconditional support for Yeltsin's government. This approach has at least temporarily forfeited economic and political opportunities in the fourteen other nations of the NIS. Our failure to challenge Russia's regional ambitions has contributed to instability from Crimea to the Baltics. And we have poorly served our interest in European stability by giving Moscow a veto over NATO participation.

Russia needs and deserves our political and economic help. The vast changes that are continuing to reverberate through Russia and the rest of the NIS clearly require a flexible approach. But, helping to improve prospects for democracy and prosperity should not be at the expense of American

concern for regional stability and security. In international affairs, our interests are clear, our resolve must be firm, and our cooperation should be conditional.

TRIBUTE TO PRESIDENT RICHARD M. NIXON

Mr. THURMOND. Mr. President, on January 9, 1913, I was living in rural Edgefield, SC, and was a month into my 11th year. It was on that day, in the rural southern California agricultural town of Yorba Linda, that Richard Milhous Nixon was born. Little did anyone know that this son of devout Quakers, born in a humble mail order home, would grow up to become the 37th President of the United States of America and one of the most important men of the 20th century.

Americans love to talk about self-made men, but few realize that Richard Nixon was one such person. He was raised by God-fearing people of moderate means who never enjoyed great financial success in their lives. His parents worked hard and were passionately dedicated to their family, instilling strong values and qualities in all their children—values and qualities that would carry one of their sons to the highest office of the land.

From his earliest days, Richard Nixon was not someone who was afraid of a challenge or of work. As a student, he distinguished himself at Whittier College by earning high marks, taking part in a number of campus activities, including student government and football, and impressing his professors as a serious young man with a keen mind. His determination and drive helped him through long nights of grueling study at Duke University's School of Law, where he had to maintain a high-grade average in order to keep the meager scholarship that allowed him to attend that school. His service in the House and Senate were also characterized by hard work. He and his staff often worked late into the night, answering constituent mail or carefully preparing for his hearings on communism that were catching the Nation's attention. Throughout his life, he never failed to adhere to the strong work ethic that Hanna and Frank Nixon imparted to their son.

Richard Nixon was a man who possessed a love for his Nation that carried him into a lifetime of public service. At the outset of World War II, he was recruited to serve as an attorney in the Office of Emergency Management in Washington, DC. As a Quaker and a civil servant with a skill critical to war efforts, he could have been exempted from military duty; however, his patriotic streak motivated him to volunteer for service in the Navy. It was this same dedication and patriotism that caused him to heed the urgings of his fellow Californians and run for the U.S. House of Representa-

tives in 1946. Nixon's successes in that race and in the Congress sparked what became one of the most important and significant political careers in the history of the United States.

In subsequent years, Richard Nixon would serve in the U.S. Senate, as Vice President, and as President. To each of these positions he brought an insightful mind, unbridled energy, and a clear vision of the role of the United States in the world.

In 1968, Richard Nixon reentered the political arena, this time as a Presidential candidate. This race was significant for several reasons. First, after two disappointing political setbacks earlier in the decade, Nixon's decision to seek the Presidency was another example of his perseverance and his uncanny ability to overcome personal challenges and setbacks. Second, it was the beginning of a new era in Presidential politics. Richard Nixon was an uncanny politician with a sense about him that has been matched by few others.

Nixon was the first to realize the importance of the South in a national election. He knew that the key to winning the White House in 1968 was to capture that region, which had traditionally been a stronghold of the Democratic Party, and he called upon me for my assistance at the Republican Convention and for the campaign. I campaigned very hard for Nixon throughout the Southeast that year, and for the first time in close to 100 years the South cast their votes for a Republican presidential candidate.

Richard Nixon was undoubtedly one of the most intelligent Presidents with whom I ever served, as well as one of the most effective. We have all heralded his many significant accomplishments in foreign relations, a field he loved and at which he excelled. His grasp of "realpolitik" allowed him to deal with foreign leaders without being intimidated or compromising the strength and security of the United States. I doubt if anyone else could have started his career as investigating communism and ended it by opening China to the West and ushering in a new era in United States-Soviet Union relations. Furthermore, he brokered a peace with Vietnam that ended an unpopular war in an honorable manner; and I believe that had he stayed in office, Saigon might not have fallen into the hands of the North Vietnamese. Nixon's experience as a statesman was so valuable, he continued to contribute to the debate on foreign policy literally until the end of his life. Each of his successors sought his counsel on international matters and there was an enthusiastic audience for Nixon's extensive writings regarding world affairs.

What is often overlooked is the strong role he took as a domestic leader. Perhaps it was his humble origins,

or having lived during the Depression that President Nixon was extremely aggressive in fighting inflation and even introduced wage and price controls at one point. He took a very strong role in desegregation and affirmative action matters; and he became the Nation's first environmental President when he created the Environmental Protection Agency and the Endangered Species Act. Richard Nixon assumed the Presidency at one of the most fractious eras in our Nation's history, but under his firm leadership, America became a calmer place and the world became a little less dangerous.

As I watched the television coverage of President Nixon's casket being loaded aboard his old Air Force One, I was struck by the image of a young Marine in the Honor Guard. He was the epitome of Marine Corps "spit and polish," standing rigidly at attention with his rifle at "present arms"; there was, however, a noticeable exception to his military appearance—he had a tear streaking down the left side of his face. Perhaps this marine was caught up in the emotion of an overwhelming and somber event, but I doubt it. Funeral details are common duty for honor guards. I believe his tear was caused by grief. Despite the fact that this young man was probably not even alive when Richard Nixon was President, I think he realized that we had lost one of history's most important figures and one of this Nation's greatest leaders; and he, like the rest of us, was deeply saddened by this realization.

Mr. President, it is almost impossible to sum up the life of Richard Nixon in just a few minutes here on the Senate floor. Historians will spend years studying and interpreting this very complex and gifted man, and they will write volumes sharing with us their discoveries. Suffice it to say, Richard Nixon is one of the few figures in American history who has truly gained immortality. His contributions transcended generations and have forever changed the international community, even laying the groundwork for the eventual dissolution of the Soviet Union.

I ask unanimous consent that a recent article written by Nixon biographer and British Member of Parliament Mr. Jonathan Aitken be included in the RECORD following my remarks. Mr. Aitken interviewed me for his excellent book, "Nixon: A Life," and I believe the tribute he wrote for Human Events does a very good job of summarizing President Nixon's life and giving us some insight into what made him such an amazing man.

Mr. President, I know that President Nixon was proud of his heritage and that all he accomplished in his life was the result of grit, determination, hard work, and intelligence. I also know that the one thing he truly loved in

this world was his family. He came from a tightly knit family and he idolized his mother. As a husband and father, he carried on the tradition of closeness and he was deeply committed to his devoted and lovely wife, Pat, and their two beautiful daughters, Tricia and Julie. It seems only appropriate that Richard Nixon will spend eternity next to his wife in the place where he learned his most important lessons—the site of his parents' home.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Human Events, May 6, 1994]

A TRIBUTE TO NIXON (1913-1994)

(By Jonathan Aitken)

Nixon the man was even more intriguing than Nixon the statesman. "Complex" was the adjective most used by journalists to describe his multi-faceted personality, not least because he camouflaged that most elusive of characters, the real Nixon, behind a battle-scarred carapace, which he himself described as "an over-developed wall of privacy." Surprisingly few people even got behind this wall. I think I may have been one of them, so I have concentrated this tribute on the lesser-known private qualities that lay behind this extraordinary public figure.

To begin near the end: Passing through London last month, aged 81, on the outward leg of his ninth visit to Moscow, Nixon telephoned unexpectedly on the morning of Saturday, March 5, and asked if I would like to come with him to the theater. The invitation, like his choice of show, and his somewhat disorganized arrangements for the evening seemed out of character but we duly set off for the Shaftesbury Theatre like a couple of tourists and settled unrecognized into our seats to see the revival of Rogers and Hammerstein's "Carousel." As the musical got underway it became apparent that Nixon was word perfect in many of the lines and most of the songs. As the story reached its climax, he seemed to be in the grip of powerful emotions, especially during the famous number "You'll Never Walk Alone" when tears started to trickle down his cheeks.

As we walked away from the theater Nixon felt it necessary to provide an explanation for the display of his feelings. He said that "Carousel" had been the favorite musical of his late wife Pat; that they had seen it many times together; and that he had chosen "You'll Never Walk Alone" as the music for her funeral last year.

After a pause he added that the show's lead male character, Billy Bigelow, reminded him of Harold, his elder brother who had died of tuberculosis during Nixon's childhood. In two days' time, he continued, it would be March 7, the anniversary of Harold's death. That date was also his mother's birthday, but she could never bear to celebrate it again. After another pause he said that before Harold had died, the family had often gone out for birthday picnics like the one in "Carousel."

For a man who normally shunned personalized small talk, Nixon's urge to share these poignant memories was a revealing reminder that his deep family roots and Quaker upbringing were central to his odyssey—which is surely the closest 20th-Century approximation to the "log cabin to White House" legend.

Nixon was born on Jan. 9, 1913, in a rustic Californian clapboard cottage, which had no

electricity, running water, wireless, telephone or inside privy. He had a hardscrabble childhood, one step away from poverty, with his formative years made difficult by a domineering father and sad by the deaths of two of his brothers, Arthur and Harold. Their medical bills created many financial hardships for the family. One painful consequence of these came when the young Nixon won a scholarship to Harvard University and had to turn it down because his parents could not afford the associated travel and accommodation costs. Nixon overcame these early sorrows and disappointments with the help of two strong pillars of the Milhous matriarchy—his grandmother Almira and his mother Hannah.

Grandmother Almira Milhous was a poet and a teacher. She was the first to recognize that the young Richard was a gifted child and the first to say, "That boy will one day be a leader." She disciplined him into the habits of intellectual curiosity, iron application and deep reading of history that stayed with him for the whole of his life.

Still more important was the influence of his mother Hannah. Long before her son became famous, she was known in her local community of Whittier as "A Quaker Saint." She instilled into him the belief that equality between races and peacemaking between nations were Christ's most important teachings. In return he loved her deeply, but strangely. Time and again in my many hours of biographer's conversations with Nixon he spoke movingly about the great debt he owed to his mother for the inspiration and idealism she gave him throughout his career, but on one occasion he added the unexpected information that she had never kissed him.

When I expressed surprise, Nixon grew quite angry, saying that my comment might have come from "one of those rather pathetic Freudian psychiatrists" and added, "My mother could communicate far more than others could with a lot of sloppy talk and even more sloppy kissing and hugging. I can never remember her saying to any of us 'I love you'—she didn't have to!"

Although suppressed emotion may have been part of the Nixon heritage, this did not mean that he was an unfeeling or unemotional man. Far from it. He put his passion into his politics and it powered him to early stardom. Unknown freshman congressman at 33. Re-elected unopposed at 35. National celebrity as a result of the Hiss case at 35. Senator at 37. Vice President 11 days after his 40th birthday. This meteoric ascent owed far more to a zealous mastery of complex issues and a burning intensity to fight the evils of communism than it did to political opportunism. There was plenty of that too, but as he always acknowledged, Nixon would never have risen to the office one heartbeat away from the presidency had it not been for the granite support of his wife Pat, who in many ways was the tougher partner of the marriage.

It was she who persuaded him to put their life savings into what at the time seemed the reckless gamble of running for Congress in 1946 against safe Democratic incumbent Rep. Jerry Voorhis. It was she who nurtured his health through a stress-related breakdown in 1951. It was she who pulled him through the Fund crisis, literally dragging him in front of the television cameras seconds before the "Checkers speech" broadcast. Above all, it was she who gave him the contented family life with two daughters that created the happier hinterland of his hidden persona—a kind, generous and loving father and grandfather.

Yet for all his private virtues, it is as a public man that Nixon would wish to be judged. Even here the two sides of his existence were more connected than has been recognized. During his wilderness years period between 1960-68, Nixon told his intimate friends that the real reason he wanted the presidency was to honor his mother's ideals. It was a promise he did much to keep. For Nixon was the President who ended U.S. involvement in Vietnam (while giving South Vietnam a chance at survival), who terminated the draft, who saved Israel from possible annihilation, and who initiated the process of detente with the Soviet Union with a series of ground-breaking disarmament agreements. Through wily diplomacy, moreover, he managed to help put a check on Soviet aggression by bringing China back into the family of nations.

Nixon also undoubtedly had a dark side to his character. In his private musings, now embarrassingly preserved on the White House tapes, he could be vindictive and paranoid, particularly when talking about his liberal tormentors in Congress and the media.

As for Watergate it was a sordid and shameful mess, but Nixon's alleged villainy in it has been much exaggerated. It is true that he covered up for his closest friends and aides with mendacious maneuvers that were political folly of a high order. Yet contrary to the media's hysterical claims at the time, he had nothing whatever to do with the break-in; he was unaware of the enemies list; there never were any mission tapes and he destroyed no evidence. Even the notorious "expletives deleted" contained none of the familiar four- or six-letter sexual swear words. What Nixon actually excised were a mass of hells, damns, craps for Chrissakes and other puerile examples of Sunday school swearing. He explained to an aide that he could not publish the uncensored transcripts (which would have been far less damaging) because his mother "would turn in her grave" if such epithets saw the light of day.

So Watergate, like Nixon, deserves re-evaluation. It was a bad episode in a great career and it has made Nixon the most controversial and complicated character ever to sit in the White House. If he had died, as he so nearly did soon after his resignation, his obituary notices would have been a undiluted chorus of vilification. They will read differently now because the last 20 years of his life were perhaps the most remarkable of all in terms of the development of his character. Transforming himself from exiled pariah to honored elder statesman was nothing less than a miracle of political resurrection. How did he do it?

I came to know him well during his two decades of rehabilitation or "the Fighting Back years" as he sometimes liked to call them. Running for Ex-President was a good label to describe his energetic globe trotting, writing and speech-making, but the reality was far more profound. The secret of his resilience was that he had developed his own new credo. It owed something to the religious counselors whom he saw regularly, such as Dr. Billy Graham and the Rev. Norman Vincent Peale, but was more a spiritual and philosophical concoction of his own.

It included several quintessential Nixonian ingredients, among them tenacity, reflective reading and the desire to perform useful public service by influencing great events. But there were other more unexpected elements, such as magnanimity. For he had put his past disappointments firmly behind him, forgiven his enemies (most of them!); and

dropped recrimination from his mind. "Remember the story of Lot's wife. Never look back," was one of his favorite lines, and he meant it.

Instead, he worked unremittently to influence the future. During his pensionable years, he wrote eight best-selling books on foreign policy and dispatched a steady flow of influential private memoranda to Presidents Carter, Reagan, Bush and Clinton. He launched his presidential library and a new Nixon Center for Peace and International relations. He continued to travel and speak widely, winning increasing acclaim as America's leading foreign policy expert. Longevity brought him the serenity and fulfillment that had for so long eluded him.

By chance, the last audience he addressed was a gathering in my house on March 17. The still-ambitious octogenarian was keen to convey his latest impressions of the situation in Russia to a group of ministers, defense chiefs, intelligence experts, editors and parliamentarians. He prepared for the occasion with his usual intensity and delivered a *tour de force* of a speech without a note. Including question time, he was on his feet for nearly 90 minutes. The details of his knowledge, the lucidity of his presentation and the incisive brilliance of his judgments, dazzled all of us present.

Nixon enjoyed his evening. As he got into his car he said to me, "Went well, didn't it? Clever group. But I've spoken in your house eight times in 14 years. I think that will have to be the last one."

I said I hoped that he might come back one more time. "Nine speeches, eh? Nine lives? Who knows?" he mused. "Anyway keep on fighting!" and with that characteristic salutation he waved and was gone. We shall not look upon his like again.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. The Chair would note that morning business is now closed.

NATIONAL ENVIRONMENTAL TECHNOLOGY ACT OF 1993

The ACTING PRESIDENT pro tempore. Under the previous order, the hour of 3:30 p.m. having arrived, the Senate will now resume S. 978, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 978) to establish programs to promote environmental technology, and for other purposes.

The Senate resumed consideration of the bill.

AMENDMENT NO. 1687

(Purpose: To authorize a rural water sanitation-health technology fund to make grants for technologies to improve sanitation conditions on Indian reservations and in Alaska Native villages and in other rural places, to eliminate the "honey bucket" sewage disposal method through innovative technologies, to develop new technologies to reduce and eliminate sanitation-related health problems and deaths, and to help to uphold the national trust responsibility of the United States to the American Indian and Alaska Native, and for other purposes)

Mr. STEVENS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for himself, Mr. INOUE, and Mr. MURKOWSKI, proposes an amendment numbered 1687.

Mr. STEVENS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

On page 18, strike line 1 and insert in lieu thereof the following:

SEC. 204. NATIVE AMERICAN SANITATION-HEALTH TECHNOLOGY FUND PROGRAM.

(a) AUTHORIZATION.—The Administrator is authorized and encouraged to enter into an agreement to establish a partnership program to fund grants to research, engineer, develop, test, and demonstrate innovative water sanitation technologies for Indian reservations, Alaska Native villages, and other remote, rural regions. Funds provided pursuant to this section may be awarded beginning in fiscal year 1995 for competitively judged proposals that have the potential to improve health and sanitation conditions in Alaska Native villages, on Indian reservations, and in other rural areas, with emphasis on areas with conditions that are not conducive to utilization of conventional wastewater treatment methods.

(b) COORDINATION.—The Administrator shall coordinate disbursements related to Alaska Native village sanitation authorized by paragraph (a) with appropriate federal agencies and departments, including any such agency or department participating in the federal field working group on rural Alaska sanitation.

SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

Mr. STEVENS. Mr. President, I would like the record to show that I am proposing this amendment for myself, for Senator INOUE, and for Senator MURKOWSKI.

Mr. President, I have had a meeting with the staff of the Public Works Committee, and I have just had a conversation with the distinguished chairman of that committee. I want to take the time to discuss my amendment and explain why I am pursuing it and to hopefully work out something with my good friend from Montana concerning this problem.

Let me just state very basically that I believe that this is a good bill. It is a

bill that is going to now centralize environmental technology and give much more authority to the Administrator of EPA, and it will really set a different tone for the appropriations that will be forthcoming to deal with a research in the environmental area.

I believe that one of the critical areas of research in the environmental area should be to deal with rural water sanitation health technology. I have some photographs that were taken in my State to demonstrate. I want to show those to the Chair in just a moment.

This amendment of mine and Senators INOUE and MURKOWSKI really is not totally an Alaska amendment. I believe that the amendment specifically provides and covers Indian reservations, Alaska Native villages, and other remote rural regions of our country.

We have people now as we are approaching the 21st century and dealing with all sorts of technology and innovations, we have people in this country that not only do not have flushing toilets and running water, they do not have the bare necessities for just human dignity in dealing with sanitation problems.

Last summer I took a trip down the Kuskokwim River. Most of the pictures I am showing to you here are in that part of Alaska—the west coast. I have talked to some of my friends who have Indian reservations in their State, and they say that in many instances the same conditions prevail. We just have not as a nation developed the concepts we need to provide for just the rudimentary sanitation facilities that are necessary to assure the health of our people who live in these areas.

They are literally, Mr. President, the poorest of the poor. It is sad to say, but it is really true. What took me down the Kuskokwim River last year was the collapse of what we called the chum salmon run. There was total devastation in these villages because their basic food source and their basic resource that was really the foundation of their cash economy literally collapsed. They had no income and they had no food.

We were going through there to talk to them about their problems. One village I went to, they wanted to talk to me about sanitation and health problems which they consider to be even worse than the total economic problems they face following the collapse of their chum run.

As I said, I have a series of photographs here that demonstrate the situation now. This is summertime now in the arctic village with the human refuge being pulled on a little sled across the playground. That is the children's playground.

This is what happens when it gets to the destination. These are the so-called honey buckets which are brought to a

community bunker and dumped in that bunker. But the trouble is there are animals and just the conditions of the area in the wintertime with the snow and ice piled up around that bunker, pretty soon all of these bags of human waste are just out on the ground. Look at the health conditions.

There is the walk for the children through this area. This is going out to the river. This is where that one village had disposed of their bags that came from the honey buckets through the winter. It is a deplorable situation.

The impact from village to village, the boardwalk access to the river is littered with bags of human waste when the summer thaw really comes.

Here again are the children. That is their access to go to their playground, go to their own homes. They have no other area that they can go through. Here again, that is just like a sewage lagoon.

That is a housing project that we put up to assist those people to have a better way of life. In the wintertime, the honey buckets are emptied out on the ground because they cannot obviously put them into the ground. They are just frozen blocks of sewage. That is what caused those other areas that I showed, where in the springtime when the thaw comes and those frozen blocks of sewage melt. Here again, these are the bunkers. The only thing that can happen to those now is there was supposed to be another transportation system coming along to take those to a remote sewage area. Unfortunately, the appropriations for that never developed, so it never got moved.

Those bunkers are surrounded by, again, the normal plastic garbage sack that we had. There are liners in the system that is used inside the home that are taken out and put into the honey buckets, and they are brought to these bunkers, and there is hardly an area that you can find along the river—Mr. President, these are different villages I am showing; they are not all the same village. It is the same condition in every village that I saw.

This is a winter condition now. Again, when you try to empty the honey buckets they put in the area near the river, even that when the ice comes, if it breaks up, then the village downstream has the problem, if the ice moves the honey bucket bags out.

Here, again, this is an overloaded bunker right up against the housing project. People say, why do you bring those photographs in here? That is the technology that we have developed. In a country that can send a man to the Moon and develop the best communications systems in the world, we are still dealing with honey buckets in Indian and Alaskan Native villages. I have to tell you, I wish I could get more people to come up and look at these, and they would get as excited as I do about why we have that. The reason is that no

portion of our Government has ever settled in on developing new technologies, new abilities to deal with human waste disposal where there is no running water.

You can go out in the outhouse in some places in the south 48, I guess. But in our State, you cannot dig down because it is permafrost underneath that land. There is no ability to deal with even an outhouse technique in Alaska. For years now, I have been asking everyone from NASA to HUD to work on developing some new technology to deal with this. They came up with the toilets that flush electronically, just burn up the insides and vaporize everything that is there. Well, that is wonderful, but they cost about \$4-a-flush in my State because of the cost of electricity. These people cannot do that. They are literally on welfare to start with.

Last year, I talked to Miss Browner, and she was on our Commerce Committee. She is a very good Administrator of the EPA. Working with her and our State commissioner of environmental conservation, Mr. Sandor, and with the people at HUD and BIA and the Indian Health Service, we tried to get together a task force to deal with these problems. The trouble is that there was nobody in that area that has the authority to deal with literally putting out the contracts to develop new technology, a technology for the 21st century, to deal with the disposal of human waste where there is no possibility of running water and where the climactic conditions make it very difficult to have any kind of normal waste disposal.

That prevails in some of the reservations of the south 48, and certainly it prevails in some of the rural areas I have seen in West Virginia and Kentucky and the Rocky Mountains. Nobody is working with these people to find some new technology. When I saw this bill come along, and recognizing what it is—it is a very good bill to start out with, and I am not opposing the bill; I am supporting the bill. I wanted to earmark a portion of this money for the development of a program to try to bring about innovative technologies to deal with this problem.

My staff, meeting with the staff of the committee, was convinced that an earmark of money was not really going to be too welcome, frankly. On almost every bill that goes through here now, we earmark a portion of the money to be used only for American and Alaskan Native basic problems. I do not care what it is. You can look at housing, sewer grants, a lot of them, and we have the earmarking. I understand the committee does not want to earmark it.

Besides that, I have really a basic trust in Miss Browner as the head of the EPA. I would like for her to have the authority to be authorized and en-

couraged to enter into agreements. Those agreements, partnership kinds of agreements with our State—and, by the way, I hasten to add that because of Mr. Sandor, the Commissioner of Environmental Conservation in Alaska, Alaska has increased its appropriations in this area. The legislature is just closing business in Alaska, and it has made \$25 million availability to deal with this.

We are working on a partnership concept, coming from BIA, Indian Health Service, HUD, the Corps of Engineers, and EPA, and we hope to get \$25 million from the Federal Government to deal with putting facilities—there are a few areas in the State where it is possible to have running water because of the temperature and the soil conditions. That money will go, first, to those areas where we can put in the normal kinds of water and sewer projects. But in these other areas, I would like to have the EPA be the focal point of developing new technology.

This amendment would authorize a fund to make grants for technologies to improve these conditions on Indian reservations, Alaskan Native villages, and other rural places. It is not earmarking any money. I think anybody that gets in and takes a trip—and I stand ready to take a trip down those rivers with anybody from the Senate or from the administration that wants to look, and I made that offer last year. There is no question of the need.

Incidentally, all of the costs of all of the disease that comes from the situations I have just shown the Senate, Mr. President, are borne by the taxpayers of the United States. The health problems are met by the Indian Health Service. The problems of loss of capability are met, in the long run, by the BIA. Yet, in order to deal with the basic human conditions, we cannot seem to get anybody to cooperate and coordinate this, in order to find a way to develop the new technologies. I literally took a trip to one of the NASA conventions one time and talked to each one of the people who are developing facilities for NASA to put in our shuttles and our space vehicles. They had wonderful new designs to deal with the disposal of human waste in space. But you cannot get anybody authorized to deal with it right here on Earth, in the area where, as I said, the poorest of the poor of our country live.

I know my friend from Montana is a little disturbed with me because I have proceeded with this amendment, when his staff has said he does not really want to see this on the bill. I have changed the amendment since originally drafted, so it will not earmark any money. It does not direct the Administrator to do anything. It authorizes the Administrator and encourages the Administrator to enter into agreements and partnerships to find ways to

do the research and develop some new facilities.

Let me close by saying that I have seen water and sewer facilities go into several villages, and in some instances, unfortunately, we have had to replace those. I can think of one place where we replaced the system three times, and we had to do that primarily because the technology was so complicated nobody in the village was capable of maintaining it. That is another problem—the development of technology that the people of the area can use and maintain, and it will bring about a change in their lives and get rid of these terrible health and sanitation problems that exists in the villages of my State.

SANITATION-HEALTH TECHNOLOGY PROGRAM

Mr. MURKOWSKI. I rise in support of the amendment to authorize a rural sanitation-health technology fund offered by the senior Senator from Alaska for himself, Senator INOUE, and myself.

The amendment authorizes and encourages the EPA Administrator to enter into an agreement to establish a partnership program to fund grants to develop new innovative sanitation technologies for Indian reservations, Alaska Native villages, and remote, rural regions, and to coordinate any disbursements authorized related to Alaska Native village sanitation with appropriate Federal agencies and departments, including any such agency or department participating in the Federal field working group on rural Alaska sanitation.

In Alaska, the rural sanitation problem is clear. Residents of rural villages in Alaska do not have adequate drinking and human sanitation facilities in their homes and communities. As a result, sickness and disease, comparable to many Third World countries, are major problems for many communities.

According to the Rural Alaska Sanitation Task Force Report, 220 rural Native villages account for three quarters of Alaska's communities.

Waste water treatment facilities in over 190 of these villages have been assessed by the Federal Government as inadequate.

In 135 villages, honey buckets and pit privies are the sole means of sewage collection and disposal.

For the record, and those that don't know, a honey bucket is usually a 5-gallon bucket placed in one's home and used as the household toilet.

When the bucket is full, it is carried outside and dumped into a open sewage pit. In many instances, the honey buckets are dumped into ponds or in close proximity to homes. It is not uncommon for children to play dangerously close to these sewage dump sites.

Of the existing waste water service levels in rural Alaska: only 37 percent have flushing toilets; 49 percent have

pit privies or honey buckets; and 14 percent have haul systems.

In over half of the villages in Alaska, water is hauled to the home by hand from washeterias, watering points, are from a creek or river, a washeteria is a centrally located building within a community where washing and drying machines are available. Washeterias also contain public showers.

In many of the homes where water is hauled by hand, a trash can is used as the water storage tank. Water for drinking, hand washing, and doing the dishes comes from this household trash can.

The existing water service levels in rural Alaska are abysmal. Only 40 percent of rural Alaskans have piped water to their residence; 30 percent use a washeteria; 20 percent use a year-round watering point; 7 percent have individual wells; and 3 percent have no system.

According to these figures, less than half of the residents living in rural Alaska villages have the basic water supply system we all take for granted—piped water to their homes.

Imagine half the residents in Washington, DC living without running water or toilets that flush. The results of having inadequate water and sanitation facilities are tragic.

Hepatitis A runs rampant among villages—causing death in some cases. Hepatitis A is a viral infection causing nausea, vomiting, abdominal pain, and in some cases a yellowing of the skin or eyes. Deaths from hepatitis A occur at a rate of approximately 1 to 5 deaths per 1,000 cases.

The water and sanitation conditions in rural Alaska must be addressed.

The water and sanitation conditions in these rural communities are considered worse than in many Third World countries.

The Alaska congressional delegation is committed to improving water and sanitation conditions in rural Alaska.

Last year, on May 5, 1993, the Indian Affairs Committee held a 4½-hour hearing on water and sanitation conditions in rural Alaska.

The committee received hundreds of pages of testimony from Federal agencies, State agencies, and Alaska Natives which described the deplorable water and sanitation conditions in rural Alaska.

The lack of basic water and sanitation services in rural Alaska has been well documented. We have thousands of pages of testimony that document the unacceptable water and sanitation conditions in rural Alaska.

As a result of the May 5, 1993, hearing, the Environmental Protection Agency formed what has become known as the "Federal Field Work Group."

The Federal Field Work Group's goal was to determine methods by which the Federal Government could work

with and assist the State in addressing the water and sanitation conditions in rural Alaska.

It is my understanding that the Federal Field Work Group has made significant progress. The Indian Affairs Committee will soon hold a hearing to receive testimony from Federal agencies, State agencies, and Native organizations on what progress has been made over the past year and what will be done in the future to address this problem.

We will continue to work to see that safe drinking water is provided to the residence of rural Alaska and that the honey bucket is eliminated from village homes.

As the country moves toward the 21st century, Alaska's rural residents should not be living in Third World conditions—they should not experience the disease and inconvenience they face because of inadequate sewer and water systems.

I urge my colleagues to support this amendment.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

The Senator from Montana.

Mr. BAUCUS. Mr. President, I very much appreciate the comments of the Senator from Alaska. I have been to Alaska several times, and I have seen a good bit of the sanitation problems he refers to. There is no doubt about it. There are sanitation problems for Native Americans in Alaska just as there are, as we all know, in other parts of the country. There is no doubt about it. Something has to be done about it.

The more we can address the problem in Alaska and the more quickly we can address that problem the better off those folks will be, and we will be better off for it. I do not quarrel with the Senator from Alaska. There is a great need for that program.

The real question is, is this the proper place to do it and is this the proper bill in which to fight for this program? And a corollary question is, is there a better approach and what is that better approach, if there is one, one that is going to come about quickly or be interminably delayed as often is the case around here?

Quickly, Mr. President, I say to my very good friend from Alaska that I am not perturbed with him at all for offering this amendment. I very much respect his very ardent advocacy for his State's interest, and the fact is that Alaskans will be very proud at how strongly the Senator represents the State's interest.

I do believe, however, that when we get to the next bill before this body, the Safe Drinking Water Act or we get to the Clean Water Act later on this year, those are two much more appropriate bills to deal with this problem. After all, we are talking about innovative water and sanitation technologies. I can say to my good friend from Alas-

ka at this point that those bills, although they are not yet before us, will contain provisions that directly address this point he makes.

On the other hand, the bill before us today, the National Environmental Technology Act, is a bill designed to encourage environmental technologies generally in this country and on a competitive bid basis. The bill does not give favoritism or earmarking or preference to one form of environmental technology over another.

It is somewhat similar to the concept we attempt to use here with NIH, the National Institutes of Health, and with the National Science Foundation, that is, on the one hand, all of us want good science and a competitive bidding process to determine which grants NSF gives to scientists around the country to develop their scientific studies.

In addition to that use of the competitive bid basis is the competitive peer review proposal basis to determine which National Institutes of Health grants are awarded and which ones are not.

There is always a temptation for us here in the Senate and in the House, for that matter, to say for our State we give preference to this or for my State preference to that. There is always a temptation here as to how far to go in the first direction, that is, the solely competitive bid in the interest of competition and good science on the one hand, and to state it very crudely, on the other hand, parochialism, porkbarrel and what not on the other.

I think, Mr. President, that because this is only a modest bill—this is not a large bill—there are not a lot of dollars in this bill, we should stick to the former model, that is, keep this competitive, keep the basis of grants to various entities and developing new environmental technologies on the basis of competition and on the basis of what seems to be best and more likely to develop better technologies and get a bigger bang for our buck. I say that, also, because this bill is neutral with respect to different environmental technologies.

If we start now offering amendments to give preference or encouragement to one form of environmental technology at the expense of the other, then, frankly, we are just back here as Senators just carving this up, and my honest opinion is the whole will be worse than the sum of its parts.

Mr. STEVENS. Mr. President, will the Senator yield there?

Mr. BAUCUS. In a minute I will yield to the Senator.

On the other hand, I might say this: I can think of many different environmental technologies that I think deserve at least equal preference. Take my home State of Montana or other Western States. That is mine waste technologies. There are a lot of abandoned mines in the West. I can tell you,

Mr. President, that tailings from those abandoned mines are polluting rivers and streams in the West. Trout streams are being polluted because of abandoned mines. There are countless abandoned mines in the West. They number thousands. There are small, little mines that have been dug into the hillside and abandoned mines. It is a major problem. This bill does not give preference to development of environmental technologies to address that problem.

We have smog in the cities. There is a lot of dirty air in this country. This bill does not give preference to environmental technologies to help clean up the air by development of a more efficient, say, electric car.

All I want to say, Mr. President, is I very much understand the Senator's concern. It would be inappropriate to single out essentially R&D for Native Americans in Alaska and addressing their water sanitation problems at the expense of other meritorious problems we have in this country. They also have to be addressed.

So I urge my good friend from Alaska, frankly, to not press this amendment, because I do pledge to him there are other opportunities coming along very quickly—the Safe Drinking Water Act, in particular, and the Clean Water Act, also, in particular, where I very much hope to address these concerns.

(Mr. METZENBAUM assumed the chair.)

Mr. STEVENS. Mr. President, if the Senator will yield for a question, I looked at the Safe Drinking Water Act. It authorizes funds for research and technical assistance for small systems such as this, but it works through universities, only universities that serve a region of States. It does not have a focus on any specific area of need, but more particularly it funds the Indian Technical Assistance Program at \$280,000 to \$300,000 nationally, and that is again for research and training in technical assistance.

The bill before us now funds \$80 million for 1995 and \$120 million for 1996. If we are looking for a larger pool of money that could have just a small part set aside, originally, as I said, I was seeking to set aside 2.5 percent of the national budget for environmental technology development to meet this need on Indian reservations and Native villages. In my judgment safe drinking water does not have any relevance to this.

I would like to ask my friend—incidentally, does my friend know that the Safe Drinking Water Act was sponsored by Senator KENNEDY and myself following a village-to-village trip in 1969, and it became a national act—and only two projects I know of were established in Alaska—but the program became national and still continues on a national basis but only authorizes research on a regional basis? How could I look to the

concept of trying to meet the State and local government and BIA and other agencies' funding having some sort of a partnership program?

Mr. BAUCUS. If I may say to the Senator—

Mr. STEVENS. Let me finish. There is no better place for it to be than in EPA. How can I get it to EPA and get some money unless it is in this bill?

Mr. BAUCUS. I think the answer is the Clean Water Act, not the Safe Drinking Water Act, but the Clean Water Act. The fact is that the Clean Water Act is on the calendar, I think, today—it was out over the weekend. If not today it will be on the calendar tomorrow. It doubles the amount of money available for Native Americans for building sanitation systems.

Mr. STEVENS. Yes.

Mr. BAUCUS. The total is \$25 million.

Mr. STEVENS. That is to build them. There is no basic research. We will build more systems under that law and they will be built with off-the-shelf technology, and once again they will not work. How can we get a research program going on that will develop site-specific type of technology that will work?

Mr. BAUCUS. By utilizing another title in the Clean Water Act that is dedicated to research; \$20 million, I might say to the Senator.

Mr. STEVENS. Is the Senator unwilling to earmark that, too?

Mr. BAUCUS. The Senator is willing to look at the Senator's amendment when we get to the Clean Water Act.

Mr. STEVENS. That is the problem.

Mr. BAUCUS. Also, it seems to me that because of the very strong argument that the Senator makes as to the need, certainly, when the Native Americans of Alaska compete with other technologies in developing new environmental technologies, the EPA, which the Senator has a lot of faith in, is more likely to award the grant to Native American cleanup rather than to some other technology.

Mr. STEVENS. Mr. President, let me call the attention of the Senator from Montana to the study made by the Office of Technology Assessment, which, as you know, is an agency of the Congress, on the Alaska Challenge of Native Village Sanitation. Just this year one of the basic recommendations they made was to establish a research and development demonstration program for innovative sanitation technologies.

I appreciate what the Senator says. Incidentally, the money that is available in the clean water program is about one-tenth of what is going to be available annually under this program. The national environmental technology is going to be developed under this program. And to my knowledge, there is no way they are going to turn to that with the very basic problems that you have mentioned in terms of

smog and the problems of mine tailings.

Mr. BAUCUS. Smog is another matter. We are talking about the Clean Water Act, not to clean up the smog act.

Mr. STEVENS. I thought you were talking about the Safe Drinking Water Act.

Mr. BAUCUS. No, I am talking about the Clean Water Act.

Mr. STEVENS. There, again, you are talking about \$20 million nationally to deal with the whole problem.

Mr. BAUCUS. Let me say this to the Senator.

The PRESIDING OFFICER. May I point out to the Senators that the rule of the Senate requires Senators to address the Chair.

Mr. BAUCUS. I apologize to the Chair.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. I might say to the Senator, there is a good chance, much above 50-50, when we come to the Clean Water Act that we could accept the Senator's amendment.

I cannot guarantee it, but in hearing the Senator and listening to the Senator and, frankly, consulting with my staff, I think there is a very good chance that we could accept that amendment; a very good chance.

I know the Senator will remind me of the statement I am now making when we get to that act, in the event that is how we resolve this issue.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. Does the Senator desire to ask for recognition?

Mr. STEVENS. Mr. President, I do not think I have any time left.

I will say this. Between now and Wednesday, I would like to confer with my friend from Montana, Mr. President, to see whether or not I should press forward with the agreement that is already in place to have 10 minutes to explain the amendment to the Senate before we vote on Wednesday.

I have high confidence in the Senator from Montana. But it was 25 years ago that I stood here with the Senator from Massachusetts and thought that we had a bill passed that would help us try to meet this problem. Year in and year out, we have had funding for projects and they have always come off the shelf. No one spent any money at all to develop new technology. We are now 25 years along the line and they are still talking about doing the same thing.

Do you know that they take new, prefabricated HUD homes to Alaska and they have the flushing toilets and the sinks and all the pipes and all you have to do is connect them? But, guess what? There is no running water in the village. There is no ability to use those flushing toilets. They are a monument to our capability to buy things in bulk

and to think that off-the-shelf technology solves every one's problems—one size fits all.

The only trouble is, there is nothing to hook those toilets up to. I bet we spend more money sending toilets to places that do not have any systems than we would need to develop new technology.

Somehow or other, I would like to have just a little bit more of an assurance than "likely or not."

Mr. BAUCUS. Mr. President, I can give the Senator enough assurance which in my judgment would warrant him not pressing the amendment on this bill.

Mr. STEVENS. That is a different sound I just heard.

Mr. President, I withdraw the amendment.

The PRESIDING OFFICER. The Senator's amendment is withdrawn.

The amendment (No. 1687) was withdrawn.

• Mr. LIEBERMAN. Mr. President, I am very pleased to be an original cosponsor of S. 978, the National Environmental Technology Act of 1994. I would like to thank the chairman for his outstanding leadership and extraordinary hard work on this bill. Senator BAUCUS made passage of this legislation one of his top priorities and he has followed through with enormous perseverance and creativity. I also commend Senator CHAFEE for his hard work on this bill, in particular his strong efforts on provisions to assist small businesses in pollution prevention and environmental compliance. Finally, Senator MIKULSKI also has been one of the true leaders in this field. Both Senator MIKULSKI and I had originally introduced separate environmental technology bills. Under Senator BAUCUS's leadership, these original bills have been combined with his legislation to develop a comprehensive environmental technology bill that will help make America a leader in environmental technology. By combining our efforts, the whole is greater than the sum of the parts.

This bill will address two big concerns of the American people—the environment and the economy. Innovative technologies can save American companies money, increase U.S. exports, create jobs and help ensure a healthy, productive environment. These are benefits that will help Americans, but the fact is that the benefits of American leadership in environmental technology would be global. As we seek to meet the needs of a rapidly growing world population, while maintaining the health of the planet, technological advances will be critical.

We need to act quickly. The worldwide demand for consumer goods is increasingly shaped by American environmental concerns. Likewise, the demand for pollution control and environmental cleanup equipment is grow-

ing. The Congressional Office of Technology Assessment estimates that the global market for environmental goods and services will reach \$300 billion by the year 2000. Although the OTA has found that U.S. companies remain competitive in most environmental technology sectors, it has also found that the U.S. position has eroded in some areas, such as air, water, and some waste technologies. As the global market expands, U.S. companies must capture their fair share of this market.

There is a consensus among industry, Government and environmental groups about the need to act quickly to improve environmental technology. There is a pressing need for better and more cost-effective clean-up technologies. For example, we currently cannot clean-up certain types of contamination—like soils contaminated with heavy metals and ground water polluted with oily wastes. Improvements in pollution prevention technology may prove even more significant. They will improve our environment and save companies money in lower material usage, treatment and disposal costs, reduced paperwork and lower liability and insurance costs. As one business executive testified before my subcommittee, "We view pollution today as waste, as a sign of inefficiency. And to the degree that we can eliminate that waste, we are diminishing inefficiency and also reducing our costs."

This bill will help make America a leader in environmental technology. It is carefully structured to substantially increase Government support of environmental technology without increasing Government bureaucracy. First, the bill requires the Government to coordinate existing programs designed to stimulate the development of innovative environmental technologies—both for remediation and pollution prevention. Over \$4 billion is currently being spent annually by Government agencies on research and development of technologies that could be classified as environmental technologies. A coordinated approach among these agencies is critical for cost-effective use of these funds. This bill accomplishes this and will improve Government accountability and efficiency. It is full consistent with our efforts to reinvent Government.

Second, the bill will spur technology development by having the EPA provide seed money, through cost-sharing partnerships, to early stage projects in the private sector. Third, the bill establishes a program for technology development modeled on the highly successful Small Business Innovative Research Program [SBIR]. The SBIR program funds development toward commercially viable technology in a staged, multi-phased program and has enjoyed widespread, bi-partisan support. Until title III of the bill, a small portion—1.25 percent—of the EPA's

budget for environmental cleanup would be authorized for private sector development of more efficient technologies contributions to the cleanup objectives. Like SBIR, this program uses a structured, three phase approach to review and grant awards to technology developers. It also requires EPA to consider commercial potential as well as scientific and technical merit in award decisions. This approach will help ensure that government-supported technology development leads to commercially viable technologies and creates new, high paying jobs.

Allocating a small portion of our cleanup funds for technology development should result in a significant reduction in the vast cost—estimated by one study at a “best estimate” of \$752 billion in 1990 dollars over the next 30 years—to the Federal Government, private industry and others of cleaning up contaminated sites, and will improve cleanup results.

Fourth, the bill has several important provisions to reduce the barriers for the market for environmental technology development. Up to now, even if new environmental technologies were developed, many companies have had difficulty finding adequate testing facilities for their technologies. The bill would expand the Federal facilities that could be used as environmental technology test areas. It also establishes programs to verify the cost and performance characteristics relative to Federal regulations. These provisions will lower the market barriers created by preference within regulations for specific technologies and thus stimulate competition and innovation.

Fifth, the bill directs EPA, the Commerce Department and the heads of other executive agencies to work together to provide environmental services to small businesses including information and technical assistance on new environmental technologies, environmental compliance, methods for achieving compliance and pollution prevention. This would work through the Manufacturing Technology Centers administrated by the National Institute of Standards and Technology [NIST] and other technology assistance programs for small businesses, as appropriate.

Small businesses have limited access to legal and technical staff. They often need assistance in identifying the requirements of the law and cost-effective approaches available to achieve compliance. Environmental technical assistance programs can make small businesses more competitive by saving them money while improving their environmental performance. Successful pollution prevention programs can help businesses avoid regulation altogether.

Some of the Commerce Department's Manufacturing Technology Center's [MTC's], such as the Great Lakes center, are beginning to integrate environ-

mental technical assistance into their small business mission. The MTC's and other industry extension centers are well-positioned to integrate environmental technical assistance with other manufacturing concerns such as productivity, quality and worker training. As a recent OTA report, “Industry, Technology and the Environmental” notes:

Separate programs make it hard for programs to market their services to industry. Moreover, it becomes more difficult for programs to establish the long-term working relationships so important to instituting both pollution prevention and manufacturing modernization as a continuous process.

The administration has proposed to dramatically increase the number of MTC's over the next 4 years. This legislation would build environmental considerations into the centers as the out-set of this expansion.

This cooperative effort between EPA and the Department of Commerce and other agencies is an important opportunity to improve Government's response to both economic and environmental concerns. EPA can identify existing and pending compliance requirements, and has broad expertise in alternative compliance strategies. But EPA has limited capacity to reach out to and assist small businesses in their communities. Working together, the agencies can provide user friendly, one-stop service centers to best serve small business needs while improving environmental protection.

Mr. President, I believe this bill will help make America a leader in environmental technology. We need innovative environmental technologies now. This bill will help Government serve as a catalyst to promote private sector development of innovative technologies without increasing Government bureaucracy. It will also increase U.S. competitiveness in this important field. The United States is a leader in environmental protection—it also needs to be the leader in environmental technology.*

The PRESIDING OFFICER. All time has expired.

Mr. BAUCUS. Mr. President I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

SAFE DRINKING WATER ACT AMENDMENTS OF 1994

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 2019, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2019) to reauthorize and amend title XIV of the Public Health Service Act (commonly known as the “Safe Drinking Water Act”), and for other purposes.

The Senate proceeded to consider the bill.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, as the Senate today begins consideration of S. 2019, a bill to reform and reauthorize the Safe Drinking Water Act, I would like to basically say a few words about the concept and the principle of the bill before I turn to details of the legislation.

We often spend a lot of time here in this body and in a lot of committees talking about abstract issues. Some of them are quite arcane, I might add.

For example, on the Environment and Public Works Committee we spend time talking about the standard for developing an effluent guideline under section 302(b)(1)(B) of the Clean Water Act. Or the relationship between sediment quality criteria and Superfund “ARAR's.”

Do not ask me what all that is. On the Finance Committee, we spend time talking about amortization schedules or the pros and cons of value added taxes. All that gets pretty arcane, pretty complex.

Today, however, we are not talking about some arcane, abstract issue. Rather, we are talking about the public health and safety of the Nation's drinking water—the water is our coffee, in our orange juice; the water our children drink from the fountains in school corridors; the water we drink—straight from the tap, two and a-half quarts a day, every day of our lives, water that we drink in one form or another.

Americans expect to turn on the faucet, fill a glass, and drink the water—without getting sick. They expect safe drinking water in their homes and in their local communities. They expect safe drinking water when they move to a new community, which the average American does 11 times in a lifetime.

We Americans expect safe drinking water when we travel. When people from Glendive, MT visit Billings, Spokane, or Boston, or when people visit their Nation's Capital, they expect to be able to drink the water without getting sick or without the worry of getting sick.

Some might say that we take safe drinking water for granted. Well, I might have agreed with that until recently, when vivid evidence—in Milwaukee and here in Washington, DC—has demonstrated that we can not take safe drinking water for granted. And there continues to be a very real need to protect public drinking water supplies.

The American people want their drinking water to be safe and realize that it costs money to make sure that it is safe. In fact, a survey conducted by the American Water Works Association—that is the industry association—last October found that 82 percent of consumers are willing to pay more to

ensure that the water they drink meets the standards the Environmental Protection Agency [EPA] has determined are necessary to protect human health.

The question is, how do we make sure that the money spent to protect drinking water supplies is spent wisely? The fundamental issue here, is balance. How do we ensure the public health will be protected while the costs of that protection are not prohibitive? Public health protection has a cost. It is our responsibility, it is our job, to strike the right balance.

Before Congress passed the Safe Drinking Water Act in 1974, the job was not getting done. From 1961 to 1970, there has been 128 outbreaks of illness or poisoning attributable to drinking water contamination. Eight million Americans were drinking unsafe water. The 1974 act created the Public Water System Supervision Program—there is a mouthful—and authorized EPA to regulate drinking water contaminants. That was back in 1974, just 20 years ago.

Twelve years later, in 1986, the job still wasn't getting done. EPA had identified 700 contaminants in drinking water, but had set standards for only 23. The incidence of waterborne disease was rising. In response, Congress enacted legislation to correct the major deficiencies in the act. The 1986 amendments established schedules of standard-setting. It required the simultaneous promulgation of goals and standards and based the standards on the best available technology.

The 1986 act reflected a consensus. The Committee on Environment and Public Works reported the bill unanimously, the full Senate approved the conference report by a vote of 94-0 and President Ronald Reagan signed the bill into law.

THE CHALLENGE

Today we know that, despite our good intentions and the many improvements made by the 1986 act, it was flawed. We overreacted. We pushed the pendulum too far in the direction of regulation. As a result, implementation of the Safe Drinking Water Act has gone awry, particularly when it comes to smaller, local communities.

Local officials who operate drinking water systems are buried under a mountain of redtape, particularly those who operate small systems. Eighty-seven percent of the nearly 60,000 community water systems in this country serve fewer than 3,300 people. The operators of these systems are trying to provide a basic public service to their neighbors. The job is difficult enough without unnecessary record-keeping and monitoring requirements that the present act, particularly the 1986 amendments, impose upon them.

There is another problem. Current standards do not take into account the economic burden on those who operate small systems. Small systems have

limited economies of scale. They cannot spread the costs of treatment across a large number of ratepayers. So, in many cases, household rates skyrocket.

On top of all this, the standards-setting system keeps rolling along, with 25 new contaminants regulated every 3 years, whether they are needed or not. And, finally, we have not provided the kind of Federal financial aid necessary to help communities meet their increased obligations.

Because of all these problems, it seems that the Safe Drinking Water Act has become the very symbol of concern about unfunded mandates. But we have to get beyond symbolism. We have to solve the problems. We have to provide balanced solutions. Otherwise, we may overreact again. We may push the pendulum back too far in the other direction. If so, we may undermine the protection of public health.

STRIKING THE BALANCE

The legislation I introduced more than 7 months ago began the process of trying to strike the balance. Since introduction last fall, I have consulted with many other Senators on both sides of the aisle to address their concerns about the bill and the drinking water program. As a result of those discussions, I believe we have made significant improvements in the bill. The bill reported unanimously from the Environment and Public Works Committee in March strikes a good balance.

It creates a new—I underline the word "new"—State revolving loan fund to finance compliance with the act's requirements. It reforms the standards-setting process and the monitoring requirements.

It streamlines the enforcement system, and lightens the burdens on small communities while continuing to protect public health. It institutes a new program to prevent contamination of water supplies. And it encourages States to deal with systems that lack the ability to provide safe drinking water over the long term.

It also addresses the issue of risk. Risk assessment is not a magic answer to all our problems. But it is an important tool when applied to specific problems. This bill does that. It applies risk-based concepts to contaminant selection, radon, small system variances and standard-setting. In addition, it authorizes a broad-based research program directed toward risk assessment.

It has been a constructive, cooperative process. I am particularly grateful to the ranking member, Senator CHAFEE and his staff and to the members of committee, including the present occupant of the chair, for their help with this issue. That work is reflected in the bill before us today, and in a managers' amendment that will be offered later this week.

I also want to thank two Members not on the committee—Senator HAT-

FIELD, who has done a very good job working on this bill, and Senator KERREY of Nebraska—for their interest in this issue and their tireless efforts on its behalf. I must say, were it not for their contribution I am not sure the bill would be up before us today.

This bill is the result of an extensive consensus-building process—after all, that is what the legislative process is all about. It addresses many of the concerns we have heard from all sides. It is not the bill that any single member would write.

But this bill is on the right track and I am confident that it will reduce regulatory burdens while fully protecting public health.

In addition to the managers' amendment, several Senators will be offering amendments that address specific changes to some of the provisions of this bill, for instance Senators KERREY and HATFIELD on monitoring and viability, and Senators WARNER and CONRAD on source water protection. But first I would like to take a few minutes to describe the bill before us and its major provisions.

FUNDING

Funding for States and communities is one of the most critical problems with the current program. Many systems, especially small systems, do not have the financial resources to comply with the current requirements of the act. This bill establishes a State revolving loan fund similar to the Clean Water Act revolving fund.

The funds can be used by all States to help communities comply with drinking water standards, restructure their operations, or find alternative sources of water. The fund is authorized at a level of \$600 million in fiscal year 1994, money that has already been appropriated, and at a level of \$1 billion annually through fiscal year 2000.

States are required to match 20 percent of the Federal grant, as under the Clean Water Act, and States can give loan subsidies or extended loan terms to systems that the State considers are disadvantaged. The fund also includes a 2-percent set-aside to be used for technical assistance for small water systems. That is, if they do not have the wherewithal to know how to comply, States may set aside 2 percent for that.

Initially, grants for the drinking water State revolving funds are distributed according to the same formula currently used to allocate Federal grants to States for the operation of State drinking water oversight programs. Beginning in fiscal year 1988, funds will be distributed according to a survey of drinking water treatment needs conducted by EPA.

The drinking water SRF differs from the clean water SRF in two important ways. First, States have the flexibility to use a portion of their drinking SRF funds to support current and new drinking water responsibilities, includ-

ing assistance to small systems and State-designed monitoring requirements. Initially, SRF funds can be used to meet 50 percent of a State's drinking water program funding shortfall.

In the second, third, and fourth years, SRF funds can be used to meet 100 percent of the State's programs shortfall. In the fifth year, after States have completed the start-up phase of reforms, funding from the SRF can be used to meet 50 percent of the State's funding shortfall.

This Federal assistance ensures that States have adequate funding to take full advantage of new flexibilities in the bill, including special programs for small communities, monitoring relief, and source-water protection programs. It will also give States time to develop their own sources of funding.

Another flexibility in the SRF provision allows Governors to shift up to 50 percent of the funds under the clean water or drinking water revolving loan funds between the two SRF's. This bill establishes a separate State revolving water fund. This allows Governors to shift back and forth according to State-specific needs. Some States may have greater clean water, that is, sewage treatment need as opposed to safe drinking water need. Some other States may be in the opposite situation.

This will give States added flexibility to address their most pressing problems, whether they are drinking water or wastewater.

This flexibility responds to the growing concerns over unfunded burdens being placed on State governments. Not only will the States have more flexibility, they will have the funding to tailor State programs to the needs of water systems.

Another way this bill addresses the resource problem is by increasing the authorization for State program grants from \$40 million to \$100 million annually through fiscal year 2000 and retains the current match requirement at 75 percent Federal, 25 percent State.

If drinking water reforms are going to succeed, it will take a true partnership among the Federal and State governments and the water systems.

HEALTH RISKS AND STANDARDS

The bill reflects recommendations from the Clinton administration, from industry and State and local governments to overhaul the process for selecting future contaminants for regulation. All parties believe EPA needs to use the best possible scientific judgment in setting risk-based priorities.

The current approach to contaminant selection mandates an outcome—83 contaminants plus an additional 25 contaminants must be regulated every 3 years—rather than a process based on good judgment and sound science. The bill eliminates this "25 every 3 years requirement" and replaces it with a new process for listing, researching, and selecting contaminants.

The process would operate on a 5-year cycle, and it would require EPA, in consultation with the Centers for Disease Control and Prevention, to identify the specific steps necessary to select health effects data and complete a risk analysis. After the studies are done, EPA would decide whether a contaminant poses a public health threat.

At the same time, EPA would use the newly established national occurrence database to determine if the contaminant was actually present in drinking water supplies. If it both appears in drinking water and poses a health threat, then it can be regulated as a new contaminant. If it does not meet both tests, it will not. This approach eliminates the current quota of regulations and ensures that good science supports all regulations.

While the contaminant listing and selection reforms have widespread support, there is a related issue that has attracted considerable discussion; namely, on what basis should standards be set?

I have worked extensively with concerned parties on all sides to reach an agreement on standard setting that preserves our fundamental health protections while avoiding unnecessary costs.

The proposal in this bill strikes a balance. Combined with the provision in the managers' amendment, the Administrator of EPA will have additional authority to consider setting the MCL for carcinogens and noncarcinogens at a level less stringent than the level that is technologically feasible provided that the substantial cost saving does not result in increased risk to health and the basis for the decision is founded on sound science.

I will speak in more detail about this provision later in the debate, but I believe it presents sound policy. I urge my colleagues to consider it carefully.

MONITORING

But perhaps the single most costly requirement for most small systems under the act is not treatment but monitoring. When a contaminant is not found through testing, no treatment should be required and there are no further costs. The key is to design water testing requirements that reasonably reflect the risk of a contaminant and avoid unnecessary and costly monitoring.

The bill uses risk considerations to modify monitoring requirements in three ways: First, EPA is required to look at monitoring requirements for no less than 12 contaminants it currently regulates and to modify them if monitoring can be reduced.

Second, States are allowed to completely replace Federal monitoring requirements based on local conditions. In areas of low risk—I might add, Mr. President, that this country is not homogenous. Some areas of the country are at a lot less risk than some oth-

ers—a State may set low-frequency testing requirements or eliminate routine monitoring altogether in some instances. EPA is given clear criteria for approving State monitoring programs.

Finally, small systems that test and do not find any problems can avoid follow-up or repeat monitoring for many contaminants. These approaches can easily reduce water testing costs 50 percent for chemical contaminants in a State, and up to 75 percent for individual small systems.

SMALL SYSTEMS

As I mentioned earlier, one of the most critical problems that this legislation addresses is the disparity in compliance costs between large and small systems. Some 87 percent of the drinking water systems in this country are small, serving fewer than 3,300 persons. While they serve about 10 percent of the population, they bear about 40 percent of the cost of the Safe Drinking Water Act.

This bill helps small systems that cannot afford to use conventional treatment and that can benefit from technologies geared specifically to the needs of small systems.

Here is how it works: Any system serving 10,000 people or less may request a variance to install special small system technology identified by EPA. This means if a small system cannot afford to comply with current regulations through conventional treatment, system restructuring or finding an alternative source of water, the system can comply with the act by installing affordable small system technology.

Small systems that seek a variance will be protected from financial penalties while their application is being reviewed. If approved, they would have 3 years to install the affordable technology. States approve the initial variances for a 5-year period and may renew them for additional 5-year periods. A variance cannot be approved unless the technology provides adequate protection of human health.

If a system requests a variance but does not get one, either because the system can restructure, find a better source of water, or can afford to comply with a regulation, the system will have additional time to comply with the regulation, with extensions possible if the system is in line for SRF money.

Furthermore, the existing exemption procedure in the act is clarified so that disadvantaged communities experiencing economic hardship can be granted an additional period of up to 3 years, to come into compliance with the act if financial assistance through the SRF or other sources is likely to be available. An additional 2-year extension could apply to communities serving under 3,300 people.

But the paramount consideration, however, that underlies the granting of

a variance or exemption is that there be adequate protection of public health.

Part of the success of the small system program will depend on stopping the formation of new systems that are unable to comply with the act, and identifying restructuring options for systems that currently cannot meet safe drinking water standards.

In March, the GAO noted that States need to have authorities to deal with nonviable systems—that is what they are called—those that really cannot comply, those that do not have the ability to comply, and if we ever hope to protect the safety of drinking water in every small community, we have to give States the opportunity to deal with these nonviable systems.

The amendment to be offered by Senators HATFIELD and KERREY of Nebraska requires States to have that legal authority; that is, to prevent new, nonviable systems from forming in their States. States must also develop a program to encourage existing systems that are not in compliance with the act to restructure; that is, to become viable.

EPA will provide guidance on identifying those systems, including a survey of nonviable systems and options on how to restructure them.

Furthermore, systems may seek protection from enforcement penalties for preexisting violations for up to 2 years while they consolidate. And as another incentive, States cannot use SRF money to prop up nonviable systems.

MULTIMEDIA AND SOURCE WATER PROTECTION

During the Environment and Public Works Committee's "taking stock" hearings last year, one message we heard loud and clear was that our environmental laws need to work better together. The radon provision in this bill responds to that message.

Radon is a difficult problem. As you know, radon is a naturally occurring substance. It is also a potent carcinogen—the second leading cause of lung cancer. Yet, some 90 percent of our exposure comes not in the water but through indoor air.

In order to avoid spending huge resources controlling radon in drinking water, while ignoring the greater threat posed from radon in indoor air, the bill proposes a multimedia approach to the radon problem. It requires that in addition to a standard published under current law, the EPA must propose an alternative standard that is equivalent to the risk associated with radon in outdoor air.

To comply with this alternative standard, a system must be in a State that is participating in the radon control program under the Toxic Substances Control Act, or implement its own program of public education, testing, and radon prevention standards in new construction.

This provision recognizes two important facts. First, that the largest

health threat from radon is in the air, and more of our resources and attention should go in that direction. Second, that controlling radon in water more strictly than the inevitable exposure from outdoor air is not a wise use of limited resources.

SOURCE WATER PROTECTION

Pollution prevention is an important and cost-effective means of ensuring safe drinking water. The current law needs to be expanded to encourage more attention to protection of sources before they are contaminated. An amendment by Senators WARNER and CONRAD deals with source water protection.

The provision encourages States to develop a source water protection program and provide assistance to local systems requesting their help in protecting their drinking water supplies. This assistance can be in the form of technical financial aid, including eligibility for grants under the nonpoint source program of the Clean Water Act.

ENFORCEMENT

The bill also provides more consistent authority to take action against violations of the Act, including compliance only administrative orders and administrative penalties of up to \$10,000 per day. Civil enforcement is provided for in key parts of the act, with fines up to \$25,000 per day. It also streamlines inspection procedures similar to other environmental laws and allows the Administrator to respond more quickly to emergency situations after notifying State and local officials.

The managers' amendment will also increase public notice requirements for violations that may adversely affect people's health, including a requirement that customers of a public water system be notified by mail if their drinking water supply is in violation of the act.

OTHER PROVISIONS

The bill also extends and increases authorizations for several research and training programs. One of the criticisms of the drinking water program is that there is insufficient research on the health effects of some contaminants. That complicates the setting of proper standards. The provisions in this bill will help alleviate that shortcoming.

The bill also encourages States to adopt certification programs for the principal operator of a community water system. The GAO recently identified operator certification as an important element in assuring safe water supplies. The managers' amendment will require States to have an operator certification program in place by 1999 or face the loss of a portion of their SRF funds. Some three dozen States currently have such programs.

Finally, let me repeat my thanks for the hard work of several Senators, in-

cluding the ranking member of the committee, Senator CHAFEE, and also Senator HATFIELD and Senator KERREY of Nebraska. They have all helped bridge the differences that surrounded this very complex issue. Without their assistance, we would not have reached the point where we are today.

Mr. President, I very much urge Senators to take a long, hard look at this bill. Under the unanimous-consent agreement reached last Friday, we will not probably return to this bill until late Wednesday or early Thursday, so I urge Senators in the interim to come to me and to my staff with respect to any amendments they may have so we can work out those amendments as expeditiously as possible.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Mr. BAUCUS assumed the Chair.)

Mr. METZENBAUM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. METZENBAUM. Mr. President, I ask unanimous consent that the Senate now go into morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. METZENBAUM pertaining to the submission of S. Con. Res. 69 are located in today's RECORD under "Submissions of Concurrent and Senate Resolutions.")

MESSAGES FROM THE PRESIDENT RECEIVED DURING RECESS

Under the authority of the order of January 5, 1993, the Secretary of the Senate, on May 6, 1994, during the recess of the Senate, received a sundry nomination; which was referred to the Committee on Veterans' Affairs.

(The nomination received on May 6, 1994, is shown in today's RECORD at the end of the Senate proceedings.)

ADDITIONAL SANCTIONS WITH RESPECT TO HAITI—MESSAGE FROM THE PRESIDENT—PM 109

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying papers; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

On October 4, 1991, pursuant to the International Emergency Economic Powers Act ("IEEPA") (50 U.S.C. 1703 et seq.) and section 301 of the National

Emergencies Act ("NEA") (50 U.S.C. 1601 *et seq.*), President Bush exercised his statutory authority to issue Executive Order No. 12775 on October 4, 1991, declaring a national emergency and blocking Haitian government property.

On October 28, 1991, pursuant to the above authorities, President Bush exercised his statutory authority to issue Executive Order No. 12779 on October 28, 1991, blocking property of and prohibiting transactions with Haiti.

On June 30, 1993, pursuant to the above authorities, as well as the United Nations Participation Act of 1945, as amended ("UNPA") (22 U.S.C. 287c) I exercised my statutory authority to issue Executive Order No. 12853 on June 30, 1993, to impose additional economic measures with respect to Haiti. This latter action was taken, in part, to ensure that the economic measures taken by the United States with respect to Haiti would conform to United Nations Security Council Resolution 841 (June 16, 1993).

On October 18, 1993, pursuant to the IEEPA and the NEA, I again exercised my statutory authority to issue Executive Order No. 12872 October 18, 1993, blocking property of various persons with respect to Haiti.

On May 6, 1994, the United Nations Security Council adopted Resolution 917, calling on Member States to take additional measures to tighten the embargo against Haiti. These include, *inter alia*, a requirement that Member States deny permission for take off, landing or overflight to any aircraft flying to or from Haiti, other than aircraft on regularly scheduled commercial passenger flights. In addition, the Resolution strongly urges, but does not mandate, the freezing of funds and financial resources of officers of the military in Haiti, including police, major participants in the coup d'état of 1991, and in illegal governments since the coup d'état, those employed by, or acting on behalf of, the military, and immediate family members of the foregoing. Effective at 11:59 p.m. e.d.t., May 8, 1994, I have taken additional steps pursuant to the above statutory authorities to enhance the implementation of this international embargo and to conform to United Nations Security Council Resolution 917.

This new Executive order:

- bans arriving and departing flights and overflights stopping or originating in Haiti, except regularly scheduled commercial passenger flights;
- blocks the funds and financial resources, subject to the jurisdiction of the United States, of the individuals specified in Resolution 917, identified above;
- prohibits any transaction that evades or avoids or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions of this order; and

—authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to issue regulations implementing the provisions of the Executive order.

The new Executive order is necessary to implement certain provisions of United Nations Security Council Resolution 917 of May 6, 1994, that are to take effect without delay. Further measures, including a comprehensive trade embargo with certain humanitarian exceptions, are required no later than May 21, 1994. I am considering additional measures to give full effect to these and other provisions of the Resolution. The measures we are imposing and the United Nations Security Council Resolution adopted on May 6, 1994, reflect the determination of the United States, acting in concert with the international community, to end the assault on democracy and human dignity in Haiti.

I am providing this notice to the Congress pursuant to section 204(b) of the IEEPA (50 U.S.C. 1703(b)) and section 301 of the NEA (50 U.S.C. 1631). I am enclosing a copy of the Executive order that I have issued.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 7, 1994.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. COVERDELL:

S. 2088. A bill to ensure that no person is required, other than on a voluntary basis, to complete certain quarterly financial reports of the Bureau of the Census; to the Committee on Governmental Affairs.

By Mr. MITCHELL (for Mr. WOFFORD, for himself and Mr. SPECTER):

S. 2089. A bill to authorize the establishment of the Steamtown National Historic Site, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. METZENBAUM:

S. Con. Res. 69. A concurrent resolution expressing the sense of the Congress that any legislation that is enacted to provide for national health care reform should provide for compensation for poison control center services, and that a commission should be established to study the delivery and funding for poison control services; ordered held at the desk.

SENATE CONCURRENT RESOLUTION 69—RELATING TO POISON CONTROL CENTERS

Mr. METZENBAUM submitted the following concurrent resolution; which was ordered held at the desk:

S. CON. RES. 69

Whereas poisoning remains a significant public health problem in the United States, especially for children;

Whereas, in 1991 alone, more than 13,000 persons died in the United States due to poisoning, including approximately 6,400 persons who died from unintentional poisoning;

Whereas 60 percent of the 2,400,000 poison exposure cases reported to poison control centers in 1992 involved children younger than 6 years of age;

Whereas poison control centers saves lives by providing free first-aid advice over the telephone to poison victims, health care professionals, and frightened parents of poisoned children;

Whereas physicians, hospitals, public health departments, and the public depend on poison control centers to provide indispensable emergency advice and treatment information for poisonings, and to be available 24 hours during each day of the year;

Whereas no other community health care service has the facilities and expertise to monitor the hundreds of thousands of consumer products with which children are unintentionally poisoned every day, or to provide the proper antidote advice when a person has been exposed to such consumer products;

Whereas poison control centers across the country are closing or drastically reducing the services they provide, due to misguided attempts by hospitals and States to save money;

Whereas approximately 1/2 of the 38 poison control centers in the Nation that meet national standards are in financial jeopardy, and lack of funding has caused some poison control centers to stop answering some emergency telephone calls;

Whereas many hospitals have stopped funding poison control centers because of funding constraints and because most poison control centers serve a wider geographic area than is served by any 1 hospital;

Whereas closing poison control centers increases the cost of health care, and needlessly places the lives of millions of children at risk;

Whereas poison control centers are cost efficient and economical because over 70 percent of the cases assisted by poison centers are resolved over the telephone while the patient is in the patient's own home, which avoids unnecessary emergency room visits, ambulance use, and hospital admissions;

Whereas every \$1.00 spent on poison control centers saves at least \$7.75 in health care costs;

Whereas, if poison control centers were not available, 600,000 additional poisoning victims would be unnecessarily treated in hospitals each year, at a much higher cost than the cost of assistance by a poison control center;

Whereas health care for Americans will cost \$545,000,000 less each year if access to quality poison control centers is provided to all Americans than if no such access is provided, even after the costs of providing poison control center services are considered; and

Whereas Federal leadership in the funding plight of the Nation's poison control centers has been nonexistent; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) any legislation that is enacted to provide for national health care reform should contain provisions that ensure that qualified poison control centers that meet national

standards and are certified by the American Association of Poison Control Centers are fairly and adequately compensated by means that may include—

(A) a fee for service mechanism under which each health benefit plan would pay a fee for each service rendered by a poison control center to a member of the plan;

(B) a per capita mechanism, under which each health benefit plan would pay a negotiated or predetermined amount, based on the number of members in the plan or the amount of poison control center services used by members of the plan in the past, to support poison control centers; or

(C) an expanded public health program, including a program of Federal or State matching grants; and

(2) a national commission should be established, under the auspices of the Public Health Service or in any other appropriate format, to study the delivery and funding of poison control services, including—

(A) means to maximize the use of information technologies in the delivery of poison control services; and

(B) possible use of a nationwide, toll-free telephone number as a means for the public to receive poison control services.

Mr. METZENBAUM. Mr. President, every year hundreds of thousands of parents call the Nation's poison centers for help to save their children's lives. In 1992 alone, 60 percent of the 2,400,000 cases reported to poison control centers were for children younger than 6 years old. Frantic families got help faster from the poison control centers than they could get it from an emergency room and at much less cost.

Every dollar spent on the Nation's poison control centers saves at least \$7.75 in health care costs. If poison control centers were not available, 600,000 additional poisoning victims would be unnecessarily treated in hospitals each year—at a much higher cost than the cost of a lifesaving call to the poison center. Yet many of the Nation's 38 poison centers are in financial danger—the center here in the Washington area is closing and many others are closing or drastically reducing their hours or coverage or are even forced to refuse to take calls from certain areas. The problem is shortsighted budget cutting by hospitals and State and local governments.

Most of you have seen the news reports showing grateful parents with healthy children beside them—children who might otherwise have died without the swift, sure help of the poison centers. One news program, the *Crusaders*, actually contacted corporations and started a bumper sticker campaign to raise money to try to keep these centers open.

The response, I understand, has been heart warming but, at best it is an emergency stopgap action that may help some centers stay open for a while.

Mr. President, we need all of these centers nationwide to stay open and available 24 hours a day. It is in the national interest both to protect the lives of millions of Americans and to protect

our health care system against the cost of unnecessary emergency room visits.

Mr. President, funding for the Nation's poison control centers should be a part of health care reform. The money it costs to run the poison control centers is a fraction of what it will cost us if we don't run them. Without the Nation's poison centers, the cost to evaluate and treat poison victims will rise \$545 million.

Therefore I am introducing a resolution stating it is the sense of the Congress that poison centers should be funded as a part of health care reform. It outlines ways in which the program can be easily and adequately funded. The identical resolution has already been introduced by Representative TOWNS in the House.

ADDITIONAL COSPONSORS

S. 359

At the request of Mr. DECONCINI, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 359, a bill to require the Secretary of Treasury to mint coins in commemoration of the National Law Enforcement Officers Memorial, and for other purposes.

S. 1208

At the request of Mr. WOFFORD, the names of the Senator from Wisconsin [Mr. KOHL], and the Senator from Missouri [Mr. DANFORTH] were added as cosponsors of S. 1208, a bill to authorize the minting of coins to commemorate the historic buildings in which the Constitution of the United States was written.

S. 1629

At the request of Ms. MOSELEY-BRAUN, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 1629, a bill to amend the Public Health Service Act to provide for expanding and intensifying activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases with respect to lupus, and for other purposes.

S. 1690

At the request of Mr. DANFORTH, the name of the Senator from North Carolina [Mr. FAIRCLOTH] was added as a cosponsor of S. 1690, a bill to amend the Internal Revenue Code of 1986 to reform the rules regarding subchapter S corporations.

At the request of Mr. PRYOR, the name of the Senator from Oregon [Mr. PACKWOOD] was added as a cosponsor of S. 1690, supra.

S. 1822

At the request of Mr. HOLLINGS, the name of the Senator from Illinois [Ms. MOSELEY-BRAUN] was added as a cosponsor of S. 1822, a bill to foster the further development of the Nation's telecommunications infrastructure and protection of the public interest, and for other purposes.

S. 1885

At the request of Mr. DECONCINI, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 1885, a bill to amend the National Security Act of 1947 to provide a uniform framework for the classification and declassification of information in the interests of national security.

S. 1948

At the request of Mr. DECONCINI, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 1948, a bill to amend the National Security Act of 1947 to improve the counterintelligence and security posture of the United States intelligence community and to enhance the investigative authority of the Federal Bureau of Investigation in counterintelligence matters, and for other purposes.

S. 2007

At the request of Mr. WOFFORD, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 2007, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the end of World War II and General George C. Marshall's service therein.

S. 2027

At the request of Mr. DODD, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 2027, a bill to provide for the reinstatement of democracy in Haiti, the restoration to office of the duly elected President of Haiti, Jean-Bertrand Aristide, the end of human rights abuses against the Haitian people, support for the implementation of the Governors Island Agreement, and for other purposes.

S. 2031

At the request of Mr. D'AMATO, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 2031, a bill to amend the Merchant Marine Act, 1936, to prohibit the imposition of additional charges or fees for attendance at the United States Merchant Marine Academy, and to express the sense of the Senate that no additional charges or fees shall be imposed for attendance at the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, and the United States Coast Guard Academy, and for other purposes.

SENATE JOINT RESOLUTION 158

At the request of Mr. WOFFORD, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of Senate Joint Resolution 158, a joint resolution to designate both the month of August 1994 and the month of August 1995 as "National Slovak American Heritage Month."

SENATE JOINT RESOLUTION 165

At the request of Mr. COCHRAN, the names of the Senator from South Caro-

lina [Mr. THURMOND], and the Senator from Idaho [Mr. KEMPTHORNE] were added as cosponsors of Senate Joint Resolution 165, a joint resolution to designate the month of September 1994 as "National Sewing Month."

SENATE JOINT RESOLUTION 181

At the request of Mr. SIMON, the names of the Senator from Alabama [Mr. HEFLIN], and the Senator from Tennessee [Mr. SASSER] were added as cosponsors of Senate Joint Resolution 181, a joint resolution to designate the week of May 8, 1994, through May 14, 1994, as "United Negro College Fund Week."

SENATE CONCURRENT RESOLUTION 55

At the request of Mr. LIEBERMAN, the names of the Senator from Florida [Mr. MACK], and the Senator from Arkansas [Mr. BUMPERS] were added as cosponsors of Senate Concurrent Resolution 55, a concurrent resolution expressing the sense of the Congress with respect to Taiwan's membership in the United Nations and other international organizations.

AMENDMENTS SUBMITTED

SAFE DRINKING WATER ACT AMENDMENTS OF 1994

BINGAMAN AMENDMENTS NOS. 1689-1691

(Ordered to lie on the table.)

Mr. BINGAMAN submitted three amendments intended to be proposed by him to the bill (S. 2019) to reauthorize and amend title XIV of the Public Health Service Act—commonly known as the Safe Drinking Water Act, and for other purposes; as follows:

AMENDMENT NO. 1689

At the appropriate place, insert the following new section:

SEC. . . ENVIRONMENTAL FLEXIBLE FUNDING.

(a) FINDINGS.—Congress finds that—

(1) the magnitude, causes, and interrelationship of environmental pollution are far more significant than previously estimated;

(2) because, in recent years, the requirements under Federal law to address pollution have expanded, State and local governments have greater economic burdens in meeting the Federal requirements;

(3) the nature and extent of environmental problems vary among and within States;

(4) Federal financial assistance to help remediate environmental pollution is limited;

(5) grant programs that are in effect on the date of enactment of this Act are generally restricted to funding specific categories of activities, without regard to the particular conditions of individual States or the relative importance of the activities within a State; and

(6) a single program designed to deal with all forms of environmental pollution within a geographic area may be more effective than a number of programs that address specific components of pollution.

(b) PURPOSES.—The purposes of this section are to—

(1) promote more effective and efficient use of Federal, State, and local funds with respect to the control of pollution;

(2) enable a State to adapt programs of Federal assistance to meet the particular environmental needs of the State;

(3) help alleviate the impact of Federal requirements by enabling States to integrate and target Federal assistance from a variety of funding sources into a single program to address priority problems if the integration of the assistance into the program furthers the goals and objectives of the programs for which the assistance was initially provided; and

(4) facilitate the funding of environmental programs that address multiple sources of pollution within a geographic area.

(c) DEFINITIONS.—As used in this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) AREA OF ENVIRONMENTAL CONCERN.—The term "area of environmental concern" includes air, drinking water, pesticides, solid and hazardous waste, toxics, and water quality (as defined and determined by the Administrator).

(3) ENVIRONMENTAL MEDIUM GRANT.—The term "environmental medium grant" means a grant made pursuant to the grant program established under subsection (d)(1).

(4) GOVERNOR OF A STATE.—The term "Governor of a State" means the Governor of a State, or if the State does not have a Governor, the equivalent official of the State.

(5) INDIVIDUAL GRANT PROGRAM AUTHORITY.—The term "individual grant program authority" means an individual grant program authority described in subsection (d)(1)(B). The term does not include any authority for a grant made to a State for capitalization for the establishment of an environmental loan fund.

(6) MULTI-MEDIA ENVIRONMENTAL GRANT.—The term "multi-media environmental grant" means a grant made pursuant to the grant program established under subsection (d)(2).

(7) STATE.—The term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau. The term includes, to the extent allowable by law—

(A) an interstate agency that has jurisdiction over 2 or more States and is established pursuant to an agreement or compact that is approved by Congress to carry out the control of pollution (as defined and determined by the Administrator); or

(B) an entity that is—

(i) established by a cooperative agreement between 2 or more States to carry out the control of pollution (as defined and determined by the Administrator); and

(ii) approved by the Administrator.

(8) STATE AGENCY.—The term "State agency" means an entity of a State that is designated by the Governor of a State as having primary responsibility for carrying out the laws of the State relating to pollution prevention, control, and abatement.

(d) GRANT PROGRAMS.—

(1) ENVIRONMENTAL MEDIUM GRANTS.—

(A) IN GENERAL.—

(i) ESTABLISHMENT OF PROGRAM.—As soon as practicable after the date of enactment of this Act, the Administrator shall, in consultation with the Governors of States and by regulation, establish an environmental

medium grant program. Notwithstanding any other provision of law, for each fiscal year, from the amounts made available to the Administrator to make grants to States under the individual grant program authorities specified in subparagraph (B), the Administrator may make a consolidated grant to any State with respect to which the Governor or the head of a State agency submits an application that is approved by the Administrator, in lieu of awarding the funds as individual grants that would otherwise be awarded to the State under the individual grant program authorities specified in subparagraph (B), to fund eligible programs and activities relating to pollution prevention, control, and abatement and related environmental activities of a State.

(ii) ADMINISTRATION BY STATE.—Except as otherwise provided in this section, in carrying out the consolidated grant program under this paragraph, a State may exercise the individual authorities that the State may exercise under the individual grant program authorities, and to the extent required to carry out this section, may transfer authority to an appropriate State agency.

(iii) USE OF GRANTS.—Under the grant program, grants shall be awarded to address the pollution prevention, control, and abatement problems and related environmental problems of 1 area of environmental concern on a statewide basis, in accordance with a priority work plan that meets the requirements of subparagraph (D) and that is developed by the appropriate official of the State pursuant to such subparagraph.

(B) INDIVIDUAL GRANT PROGRAM AUTHORITIES.—The individual grant program authorities specified in this subparagraph include the following grant program authorities granted to States under the following provisions of Federal environmental law:

(i) AIR PROGRAMS.—Sections 103(b), 105, 106, and 112 of the Clean Air Act (42 U.S.C. 7403(b), 7405, 7406, and 7412, respectively) and section 306 of the Toxic Substances Control Act (15 U.S.C. 2666).

(ii) DRINKING WATER PROGRAMS.—Sections 1427, 1428, 1443, and 1465 of the Public Health Service Act (42 U.S.C. 300h-6, 300h-7, 300j-2, and 300j-25, respectively).

(iii) PESTICIDES.—Section 23 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a).

(iv) SOLID AND HAZARDOUS WASTE PROGRAMS.—Sections 2007, 3011, and 4008 of the Solid Waste Disposal Act (42 U.S.C. 6916, 6931, and 6948, respectively).

(v) TOXIC SUBSTANCES PROGRAMS.—Sections 10, 28, and 403 of the Toxic Substances Control Act (15 U.S.C. 2609, 2627, and 2683, respectively).

(vi) WATER QUALITY.—Sections 104(b), 104(g), 106, 205(j), 314(b), 319, 320, and 604(b) of the Federal Water Pollution Control Act (33 U.S.C. 1254(b), 1254(g), 1256, 1285(j), 1324(b), 1329, 1330, and 1384(b), respectively).

(vii) OTHER PROVISIONS.—Any other related provision of Federal environmental law that the Administrator considers to be appropriate.

(C) APPLICATION.—An application submitted pursuant to subparagraph (A) by the Governor of a State or the head of a State agency shall be in such form, and contain such information, as the Administrator determines appropriate and shall, at a minimum, include—

(i) a description of the programs and activities to be carried out by the State with funds made available under the grant that is the subject of the application;

(ii) a statement concerning how the programs and activities specified in clause (i)

will promote the goals and objectives of the priority work plan of the State developed pursuant to subparagraph (D);

(iii) for each program or activity listed pursuant to clause (i), a description of—

(I) the objectives of the program or activity; and

(II) measurable performance criteria to be applied to the program or activity;

(iv) a statement of the proposed distribution of funds made available under the grant among activities and programs, including an order of priorities;

(v) a statement concerning how the distribution of funds of the State will adequately address the requirements under the individual grant program authorities covered under the environmental medium grant; and

(vi) an identification of the State agency that will—

(I) carry out the programs and activities specified in clause (i);

(II) monitor the use of funds made available under the grant that is the subject of the application; and

(III) report to the Administrator on the use of the funds.

(D) PRIORITY WORK PLAN.—

(i) IN GENERAL.—As part of a grant application, the Governor of the State or the head of the State agency of the State shall submit a priority work plan to the Administrator. The priority work plan shall be for a period of 1 or more years. The plan shall—

(I) be developed—

(aa) in accordance with guidance issued by the Administrator pursuant to clause (ii); and

(bb) with appropriate public notice and opportunity for review and comment; and

(II) include a description of—

(aa) the environmental problems to be addressed by the work plan;

(bb) the proposed strategy of the State to address the problems specified in item (aa), including the goals and objectives of the State relating to the strategy;

(cc) priority actions to be taken pursuant to the work plan; and

(dd) the expected outputs and results in terms of effects on the environment to be accomplished pursuant to the work plan.

(ii) GUIDANCE.—As soon as practicable after the date of enactment of this Act, the Administrator shall issue guidance for priority work plans prepared pursuant to this subparagraph.

(E) ELIGIBLE PROGRAMS AND ACTIVITIES.—Any program or activity that is eligible to receive funding under a grant that would otherwise be awarded to a State under individual grant program authorities, but for this paragraph, shall be considered to be an eligible program or activity for the purposes of this paragraph.

(F) AMOUNT OF GRANT.—The amount of a grant awarded to a State under this paragraph shall not exceed the total amount of grants that would otherwise be awarded to the State under individual grant program authorities, but for this paragraph.

(G) COST-SHARING.—

(i) IN GENERAL.—Notwithstanding any other provision of law, including any requirement of individual grant program authorities that would otherwise apply but for this paragraph, the Federal share of each program or activity that receives funding from a grant awarded pursuant to this paragraph shall not exceed 50 percent of the cost of the program or activity.

(ii) NON-FEDERAL SHARE.—Except as otherwise provided by law, as a condition of re-

ceiving a grant under this paragraph, the State shall pay a non-Federal share from non-Federal sources.

(iii) EXCESS CONTRIBUTIONS.—Any amount of funds contributed from non-Federal sources that is in excess of the non-Federal share required to be contributed pursuant to clause (ii) may not—

(I) be considered to be funds contributed pursuant to clause (ii); and

(II) be subject to Federal auditing requirements that would otherwise apply to funds contributed pursuant to such clause.

(H) LIMITATIONS AND CONDITIONS ON USE OF FUNDS.—Notwithstanding any other provision of law, including any limitation or condition on the use of funds under any individual grant program authority that would otherwise apply but for this paragraph, a State that receives a grant under this paragraph may use funds made available pursuant to this paragraph for financial assistance to individuals only to the extent that the assistance is related to the costs of eligible programs and activities. The Administrator may not attach any other condition or limitation to the use of the grant funds.

(I) SATISFACTORY PROGRESS.—With respect to a State, the Administrator may reduce the amount of a grant or disapprove a grant application submitted pursuant to subparagraph (C) if the Administrator determines that—

(i) for a preceding fiscal year, the State has failed to make satisfactory progress in achieving the performance measures stated in an application for a grant awarded to the State under this paragraph; and

(ii) on the basis of information available to the Administrator concerning the reliability and achievability of the performance measures referred to in clause (i), the measures that the State failed to achieve are reliable and achievable.

(J) REPORTING REQUIREMENTS.—Not later than 120 days after the end of the 1-year period of a grant made to a State pursuant to this paragraph, the appropriate official of the State agency identified under subparagraph (C)(vi) shall submit to the Administrator a report on the principal activities and achievements of the State accomplished with funds made available pursuant to the grant program under this paragraph. The report shall compare the achievements referred to in the preceding sentence to—

(i) the measurable performance criteria described in the application of the State submitted pursuant to subparagraph (C); and

(ii) the goals and objectives specified in the priority work plan pursuant to subparagraph (D)(i)(II)(bb) and the expected results specified in the priority work plan of the State pursuant to subparagraph (D)(i)(II)(dd).

(2) MULTI-MEDIA ENVIRONMENTAL GRANTS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Administrator shall, by regulation, establish a multi-media environmental grant program. Notwithstanding any other provision of law, the Administrator may make a grant to each State that submits an application that is approved by the Administrator to assist the State in designing, developing, and carrying out pollution prevention, control, and abatement programs and activities and other related environmental programs and activities that affect 2 or more areas of environmental concern.

(B) APPLICATIONS.—An application for a grant under this paragraph shall be made in the same manner as prescribed under paragraph (1)(C).

(C) PRIORITY WORK PLAN.—A priority work plan submitted as part of an application

made under this paragraph shall meet the requirements for a priority work plan developed under paragraph (1)(D).

(D) ELIGIBLE PROGRAMS AND ACTIVITIES.—The Administrator shall designate programs and activities that shall be eligible to receive funding under this paragraph and shall include programs and activities for—

(i) designing and conducting environmental risk assessments;

(ii) environmental education;

(iii) enhancing the capacity of a State to support environmental programs;

(iv) enhancing the capacity of a State to support a geographical approach to environmental control programs and activities;

(v) promoting source reduction, including activities authorized under section 6605 of the Pollution Prevention Act of 1990 (42 U.S.C. 13104); and

(vi) pollution prevention, control, and abatement.

(E) FEDERAL SHARE.—Except as otherwise provided by law, the percentage amount of Federal share of a grant awarded under this paragraph shall not exceed the amount specified in paragraph (1)(G)(i).

(F) SATISFACTORY PROGRESS.—Paragraph (1)(I) shall apply to a grant or application for a grant made by a State under this paragraph in the same manner as such paragraph applies to a grant made under paragraph (1).

(G) REPORTING REQUIREMENTS.—In the case of a State that receives a grant under this paragraph, the reporting requirements under paragraph (1)(J) shall apply to the appropriate official of the State agency identified under subparagraph (B) in the same manner as the requirements apply to the appropriate official of the State agency of a State that receives a grant under paragraph (1).

(3) GOVERNORS' DISCRETIONARY AUTHORITY.—Notwithstanding any other provision of law, on the request of a Governor of a State, the Administrator may transfer an amount not to exceed 20 percent of the amount that would otherwise be awarded to the State pursuant to individual grant program authorities or a grant to the State under paragraph (1) or (2) and award the funds as a supplemental amount that shall be subject to the same requirements as any other amounts awarded pursuant to—

(A) a grant authorized under the individual grant program authorities specified in paragraph (1)(B);

(B) an environmental medium grant awarded pursuant to paragraph (1); or

(C) a multi-media environmental grant awarded pursuant to paragraph (2).

(4) REQUEST FOR INFORMATION.—The Administrator may request such information, data, and reports as the Administrator considers necessary to—

(A) review an application submitted under this subsection for approval or disapproval;

(B) evaluate progress made under a grant awarded pursuant to this subsection; or

(C) prepare a report that the Administrator is required to prepare under subsection (e).

(5) NO REDUCTION IN AMOUNTS.—In no case shall the award of a grant to a State pursuant to this subsection result in a reduction of the total amount of funds awarded by the Administrator to a State as grants for conducting environmental programs and activities. Except as expressly provided otherwise, nothing in this subsection is intended to reduce or supplant the obligation of a State to pay a non-Federal share of a grant awarded by the Administrator to the State for conducting an environmental program or activity.

(6) **APPLICABILITY.**—This subsection shall apply beginning with the first full fiscal year following the date of issuance by the Administrator of the regulations establishing an environmental medium grant program under paragraph (1)(A).

(e) **REPORT TO CONGRESS.**—Not later than 5 years after the date of enactment of this Act, the Administrator, in cooperation with the States, shall submit a report to Congress concerning the grant programs established under this section. The report shall include such recommendations for changes in the grant programs as the Administrator considers appropriate.

AMENDMENT No. 1690

At the appropriate place, insert the following new section:

SEC. . GRANTS TO CERTAIN COMMUNITIES FOR WASTEWATER TREATMENT.

(a) **FINDINGS.**—Congress finds that—

(1) as of the date of enactment of this Act, there is a severe lack of wastewater treatment facilities in the area of the border between the United States and Mexico;

(2) the lack of facilities is leading to the pollution of rivers and ground water in the area and to environmental degradation; and

(3) the pollution presents a grave threat to public health through the proliferation of gastro-intestinal and infectious diseases.

(b) **GRANTS TO CERTAIN COMMUNITIES.**—Title V of the Federal Water Pollution Control Act (33 U.S.C. 1361 et seq.) is amended—

(1) by redesignating section 519 as section 520; and

(2) by inserting after section 518 the following new section:

"SEC. 519. GRANTS TO CERTAIN COMMUNITIES.

"(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Administrator is authorized to award a grant for wastewater treatment to—

"(1) a community that meets the requirements of subsection (b); or

"(2) a county, municipality, or other political subdivision of a State acting on behalf of a community that meets the requirements of subsection (b).

"(b) **Eligible Communities.**—A community that meets the requirements of this subsection is a community that—

"(1) is designated by the State or county in which the community is located as a colonia;

"(2) is located in the border area;

"(3) the Administrator determines is eligible to receive a grant under this subsection on the basis of objective criteria (including the lack of a potable water supply, an adequate sewage system, or decent, safe, and sanitary housing); and

"(4) before November 28, 1990, existed as a colonia (as determined by the Administrator).

"(c) **USE OF GRANT.**—A grant awarded under this section may be used for 1 or more of the following activities:

"(1) The construction (including planning, design, repair, extension, improvement, alteration, or reconstruction) of publicly owned treatment works (including collection lines or interceptor sewers, notwithstanding any limitation otherwise imposed with respect to the provision of assistance for collection lines or interceptor sewers).

"(2) The acquisition of land, or any easement or other right-of-way, with respect to which the recipient of assistance is not the owner (at the time of the receipt of assistance), that is necessary to carry out the construction or operation of the publicly owned treatment works, or the final disposal of residues resulting from the treatment of water or waste.

"(3) The disposal of wastewater by surface or underground methods (or both).

"(d) **GRANT AMOUNT.**—A grant awarded under this section may be for an amount not to exceed 100 percent of the cost of the project that is the subject of the grant.

"(e) **DEFINITION OF BORDER AREA.**—As used in this section, the term 'border area' means the area situated within 100 kilometers on either side of the United States-Mexican international boundary.

"(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Environmental Protection Agency, for each of fiscal years 1995 through 2001, such sums as may be necessary to carry out this section."

AMENDMENT No. 1691

At the appropriate place, insert the following new section:

SEC. . GRANTS TO UNINCORPORATED COMMUNITIES FOR WASTEWATER TREATMENT.

"(A) **FINDINGS.**—Congress finds that—

"(1) as of the date of enactment of this Act, there is a severe lack of wastewater treatment facilities in small, semi-rural, unincorporated communities in the United States;

(2) the lack of facilities is leading to the pollution of rivers and ground water in the areas; and

(3) the pollution presents a potential threat to the public health of the communities referred to in paragraph (1).

(b) **GRANTS TO UNINCORPORATED COMMUNITIES.**—Title V of the Federal Water Pollution Control Act (33 U.S.C. 1361 et seq.) is amended—

(1) by redesignating section 519 as section 520; and

(2) by inserting after section 518 the following new section:

"SEC. 519. GRANTS TO UNINCORPORATED COMMUNITIES.

"(a) **DEFINITIONS.**—As used in this section:

"(1) **CONSTRUCTION.**—The term 'construction' has the same meaning as is provided in section 212(1).

"(2) **NON-METROPOLITAN AREAS.**—The term 'non-metropolitan area' means an area no part of which is within an area designated as a metropolitan statistical area by the Office of Management and Budget.

"(3) **TREATMENT WORKS.**—The term 'treatment works' has the same meaning as is provided in section 212(2).

"(b) **AUTHORIZATION FOR GRANT AWARDS.**—Notwithstanding any other provision of law, the Administrator is authorized to award a grant for wastewater treatment to an unincorporated community (without regard to whether the community is located in a metropolitan statistical area) for a wastewater treatment project that serves a population—

"(1) of 20,000 or fewer residents; and

"(2) with a median household income that is less than or equal to 110 percent of the median household income for non-metropolitan areas of the State in which the community is located.

"(c) **USE OF GRANT.**—A grant awarded under this section may be used for 1 or more of the following activities:

"(1) The acquisition or construction (including planning, design, repair, extension, improvement, alteration, or reconstruction) of a treatment works or any portion or associated structure of a treatment works (including any associated collection line or interceptor sewer, notwithstanding any limitation otherwise imposed with respect to the provision of assistance for the line or sewer).

"(2) The acquisition of land, or any easement or other right-of-way, with respect to which the recipient of the grant is not the owner at the time of the acquisition, that is necessary to carry out the construction or operation of the treatment works referred to in paragraph (1).

"(3) The final disposal of residues resulting from the treatment of water or waste.

"(4) The disposal of wastewater by surface or underground methods (or both).

"(5) The disposal of wastewater through recycling or reclamation (or both).

"(d) **COST-SHARING.**—

"(1) **FEDERAL SHARE.**—The Federal share of a grant described in subsection (b) shall not exceed 75 percent of the total cost of the project that is the subject of the grant.

"(2) **NON-FEDERAL SHARE.**—Payment of the non-Federal share of a grant described in subsection (b) may be satisfied by any combination of public or private funds or in-kind services. The non-Federal share may include public funds authorized or expended for the project that is the subject of the grant during the period beginning on the date that is 3 years before the date of enactment of this subsection.

"(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Environmental Protection Agency, for each of fiscal years 1995 through 2001, such sums as may be necessary to carry out this section."

CHANGE OF HEARING SCHEDULE

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BUMPERS. Mr. President, I would like to announce that the hearing before the Subcommittee on Public Lands, National Parks and Forests previously scheduled for Thursday, May 12, 1994, at 2 p.m. will now begin at 2:30 p.m. The hearing will be in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on two bills pending before the subcommittee pertaining to the management of the Presidio in San Francisco. The bills are:

S. 1549, to amend the act establishing Golden Gate National Recreation Area to provide for the management of the Presidio by the Secretary of the Interior, and for other purposes; and

S. 1639, to provide for the management of portions of the Presidio under the jurisdiction of the Secretary of the Interior, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, anyone wishing to submit a written statement is welcome to do so by sending two copies to the Committee on Energy and Natural Resources, 304 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information regarding the hearing, please contact David Brooks of the subcommittee staff at (202) 224-8115.

ADDITIONAL STATEMENTS

TRIBUTE TO THE NATIONAL COALITION OF 100 BLACK WOMEN, INC.

• Mr. JOHNSTON. Mr. President, on Sunday, May 15, 1994, the National Coalition of Black Women, Inc. [NCBW] will inaugurate the second Louisiana chapter in Baton Rouge.

NCBW is a nonprofit, volunteer organization dedicated to community service, leadership development, and enhancing career opportunities through networking and social programs. This group was initially formed in 1970 by a small group of women in New York City to address problems facing black women in the wake of the women's and civil rights movements. In 1981, under the leadership of one of its founders and current chairman of the board of directors, Jewel Jackson McCabe, the coalition expanded into a national organization which now has a membership of over 6,000 women nationwide and has chapters in over 20 States and the District of Columbia. The efforts of women such as Maya Angelou, Johnette B. Cole, and Yvonne Braithwaite Burke have had a tremendous impact on the direction of this organization and have been instrumental in expanding the worthy endeavors of the NCBW.

Through their outreach efforts, empowerment programs have been put in place to help meet the diverse needs of African-American women. These programs enable NCBW to develop and position the leadership talent within the community of black women; make black women a visible force in the socioeconomic and political arenas; and provide networking among black female leaders to establish links between them and the corporate and political sectors.

The NCBW chapter in Baton Rouge represents a cross-section of African-American women in the Baton Rouge community who are leaders in education, civic organizations, government, and business who are committed to improving the lives of African-American women in Louisiana. This group will work to bring together a united group of middle income African-American women to ensure their future economic viability; serve as mentors to young African-American girls to develop an awareness and understanding of self; boost

Mr. President, it will only be through expanding important initiatives like those of the NCBW that we will be able to address fully the expanding and challenging problems facing this underserved segment of our population. The formation of the Greater Baton Rouge NCBW marks an important day in Louisiana's history and one that I am confident will be long remembered for bringing committed individuals to-

gether to confront the challenges which face Louisiana in improving the lives of African-American women. •

CORPS OF ARTILLERISTS AND ENGINEERS BICENTENNIAL

• Mr. BAUCUS. Mr. President, today's U.S. Army Corps of Engineers traces its beginnings to the establishment of the Continental Army in June 1775 when provision was made for a Chief Engineer. This week marks the bicentennial of another significant event in the long history of the corps. I would like to take a moment to recount the history of this important event.

On May 9, 1794, Congress established a Corps of Artillerists and Engineers in the U.S. Army. This action returned Engineers to the ranks of the Army for the first time in more than 10 years and assured that the Engineers would continue as a vital part of the Army of the new United States.

At the end of the Revolutionary War, several officers, including Louis Lebeque Duportail, Chief Engineer, argued for a peacetime Army with a single Corps of Artillerists and Engineers as was customary in many European states. But Congress decided instead to disband the bulk of the Continental Army, including the Corps of Engineers with its chief engineer and companies of sappers and miners, in November 1783. By June 1784, the surviving military establishment consisted solely of an infantry regiment and a company of artillery stationed at West Point.

When the new Government under the Constitution was launched in 1789, Secretary of War Henry Knox revived the recommendation for a small Corps of Artillerists and Engineers. Congress finally took action in 1794, when war with Britain threatened. There was suddenly an acute need to upgrade existing coastal fortifications and construct new ones.

In March 1794, Congress appropriated funds for fortifications works from Maine to Georgia, and Secretary Knox hired seven individuals as temporary engineers to carry out the work. The group included Pierre L'Enfant and Stephen Rochefontaine, both veterans of the Revolutionary War. Although employed by the War Department, these engineers did not join the Army.

Knox took advantage of the situation and again urged Congress to approve the plan he and Duportail had advanced earlier for a combined Corps of Artillerists and Engineers. In particular he argued that the corps would provide the additional trained troops needed to garrison the coastal fortifications. And so, 200 years ago today the Corps of Artillerists and Engineers was created. The new corps was commanded by a lieutenant colonel and had four battalions, each commanded by a major and each consisting of four companies.

Significantly, the legislation recognized that the grade of cadet denoted an officer candidate. The Secretary of War was also directed to provide the books, instruments, and apparatus necessary for the new corps. These were the first steps toward establishment of a national military academy.

It took months for the Corps of Artillerists and Engineers to recruit the officers and troops needed to reach its authorized strength. Then international tensions eased in the latter half of 1794 and jeopardized the whole effort. But, in December of that year, Congress resolved to continue a sea-coast defense program.

By the end of the year, there were single company garrisons of artillerists and engineers at Fort Jay, New York; Fort Mifflin, Philadelphia; Fort Whetstone, later McHenry, Baltimore; and Fort Johnson, Charleston. The following February, Stephen Rochefontaine, one of the temporary engineers, was commissioned a lieutenant colonel and took command of the corps.

In 1798, when war with France appeared likely, Congress added a second regiment to the corps. However, by the time Thomas Jefferson became President in 1801, it had become clear that the united corps was not producing a well-educated body of engineer officers. The short-lived experiment was ended. In 1802 Congress permanently established a separate Corps of Engineers and the U.S. Military Academy at West Point as the Nation's first engineering school.

After 1800, many politicians, including Secretary of War James McHenry, desired the corps to contribute to both military construction and works of a civil nature. Thus in the years after the War of 1812, the corps took on civil works responsibilities in addition to the combat engineering and fortifications work it engaged in during the Revolution and the 1790's.

Today, after more than 200 years of service, the Corps of Engineers remains a vital part of America's Army. It is key to our military strength, as the Gulf war amply demonstrated. And the Corps of Engineers plays an important role in fighting natural disasters, such as floods and earthquakes, here at home. And it all began with an act of Congress 200 years ago during our Nation's infancy. The Corps of Engineers is an enduring arm of the Federal Government. I am certain that it will still be here providing civil and military engineering expertise for the United States 200 years from now. •

MFN FOR CHINA

• Mr. SIMON. Mr. President, most Americans are good citizens, and they look for good citizenship in the people and companies they do business with. In our country, most people would not have dealings with a company that

maintains sweatshop conditions and wages, locks up malcontented workers, bans unions uses force to take over and control a neighboring firm, and offsets its R&D outlays by smuggling missile parts and lethal weapons in defiance of the law of the land. People would certainly not wish to deal with such a company on the same favorable terms accorded to reputable business partners.

This is the kind of dilemma posed by the President's upcoming decision regarding the continuation of China's MFN status. Americans have a long history of sensitivity to the values and behavior of foreign countries they do business with. In the 1930's, when Japanese armies invaded China and committed atrocities there, many Americans were reluctant to buy Japanese goods. Some of the advocates of MFN renewal for China this year are suggesting that it is unsound policy to link trading conditions with human rights performance, the occupation of Tibet, China's export of ballistic missile technology in defiance of the international Missile Technology Control Regime, and other issues outlined in the President's May 1993 Executive order. In my view, this linkage is correct and reasonable.

I would like to insert in the RECORD the excellent May 6 New York Times article by A.M. Rosenthal that sets the facts straight: the United States accounts for 38 percent of the People's Republic's exports and is running a \$25 billion annual trade deficit with the People's Republic. Who should be worried about whom? I agree that American jobs are at issue in the debate over China's MFN status, but we can secure those jobs without sacrificing our values by showing the Chinese that we are in earnest about human rights—not by falling all over ourselves in trying to justify a policy of appeasement.

The article follows:

[From the New York Times, May 6, 1994]

THE CONTEST OF TWO LOBBIES

(By A.M. Rosenthal)

The struggle in Washington on whether the United States should continue to allow Communist China low-tariff privilege involves a skein of American interest—political, economic, strategic and moral.

But at its center are some simple realities that confront President Clinton, and every American who has hopes for him, as he nears the decision he has to make before June 3.

1. On May 28, 1993, Mr. Clinton signed an order committing him to remove those privileges unless by June 3, 1994, China had made "significant progress" toward human rights in China and occupied Tibet.

Congress was about to pass again a bill writing that either or plan into law—a bill once vetoed by President Bush. Mr. Clinton persuaded Congress to let him do the job himself, by executive order.

2. In the year since, repression by police and army power in China and Tibet has remained unalleviated.

Its instruments, used day in, day out as consistently as ever, are prison torture, reli-

gious persecution, arrest of political dissidents, forced confessions, arbitrary detention and the enforcement of the official bastions of economic growth: cheap labor, prison labor, slave labor and prohibition of labor unions.

To all this, despite a few carefully timed prisoner releases, the State Department's own reports bear witness.

3. Now Mr. Clinton is under pressure by American companies trading with China to decide that somehow Number 2 fulfills the promises he made to the American and Chinese people in Number 1.

Naturally, not a soul in Congress, the Administration or business believes for a moment that China has improved its human rights record. The China lobby wants to dump the promises of last year altogether or slide around them by accepting as progress more Beijing statements of intent like the ones they have already broken.

4. The China lobby in and out of government sells economic fear. It says the debate is about America "pulling out" of China economically. Nobody has suggested that. The lobby and its servants lie.

The China lobby heavily breathes warning that China itself will cut off trade with the U.S. The Communists are not suicides.

China exports to the U.S. \$25 billion more than it buys from America. The exports to the U.S. are 38 percent of China's world total. Without American customers, China's growing trade deficit could bring the economy down. Who should be worried about whom?

5. The majority of Americans are against low American tariffs to China because they strengthen the wardens of the gulag. These Americans are not without voice or courage.

Most of Congress is behind them. So is the energetic human rights lobby—Asia Watch, the U.S. Conference of Catholic Bishops, the A.F.L.-C.I.O., the International Campaign for Tibet, Amnesty International. They count.

6. But the China lobby has the money. The Clinton Administration is sending out so many mixed signals, and so many are craven, that Washington is convinced Mr. Clinton is caving fast.

The meaning of Mr. Clinton's 1993 order was clear: No human rights progress, no tariff privileges. A year later, nobody of knowledge in Washington seems to believe other than Mr. Clinton will slide away from that.

The struggle now is about what is left. Should the human rights policy just be dumped as a lost cause? Or can Mr. Clinton save his name with a few more promises of intent from Beijing? How about a China-U.S. commission to improve human rights? Or a human rights code, not for the Communists but for American businesses in China?

If nobody can keep a straight face about those, how about ending the low tariffs only for goods produced by the state and the army? Maybe the Chinese will attach neat labels, for the convenience of U.S. customs?

The human rights people would rather have some compromise than nothing, so that they can fight another day. Most are too strong in soul to just vomit and walk away.

By nature, many daily newspapermen are optimistic. How could they otherwise keep confronting the keyboard?

All right; Honorable people in government still struggle for Mr. Clinton's mind and honor. So it's best to keep calling around, until the President makes his decision about the Executive Order of May 1993, now that it is May 1994.

Mr. METZENBAUM. Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. METZENBAUM). Without objection, it is so ordered.

APPOINTMENT OF CONFEREES— H.R. 3841

The PRESIDING OFFICER. Pursuant to the order of April 26, 1994, regarding H.R. 3841, the Chair appoints the following conferees:

The Chair appointed Mr. RIEGLE, Mr. SARBANES, Mr. DODD, Mr. SASSER, Mr. D'AMATO, Mr. GRAMM of Texas, and Mr. ROTH conferees on the part of the Senate.

UNANIMOUS-CONSENT AGREEMENT

Mr. BAUCUS. Mr. President, I ask unanimous consent that the vote on final passage of S. 978 occur, without any intervening action, following disposition of S. 1935, the gift ban legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOR THE RELIEF OF FANIE PHILY MATEO ANGELES

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar 421, S. 116, a bill to provide for the relief of Fanie Phily Mateo Angeles; that the bill be read a third time and passed; that the motion to reconsider be laid upon the table; and, that any statements appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the bill (S. 116) was considered, ordered to be engrossed for a third reading, was deemed read the third time, and passed; as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Fanie Phily Mateo Angeles shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to reduce by the proper number, during the current fiscal year or the fiscal year next following, the total number of immigrant visas which are made available to natives of the country of the alien's birth under section 203(a) of such Act, or if applicable, the total number of immigrant visas which are made available to natives of the country of the alien's birth under section 202(e) of such Act.

ORDERS FOR TOMORROW

Mr. BAUCUS. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today it stand in recess until 9:45 a.m., Tuesday, May 10; that, following the prayer, the Journal of proceedings be deemed approved to date and the time for the two leaders reserved for their use later in the day; that there then be a period for morning business not to extend beyond 10 a.m., with Senators permitted to speak therein for up to 5 minutes each, with Senator HEFLIN recognized for up to 7 minutes; that at 10 a.m. the Senate resume consideration of S. 2042, the

Bosnia arms embargo legislation, as provided for under the provisions of a previous unanimous-consent agreement; that, on Tuesday, the Senate stand in recess from 12 noon until 2:30 p.m. in order to accommodate the respective party conferences.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL TOMORROW AT 9:45 A.M.

Mr. BAUCUS. Mr. President, if there is no further business to come before the Senate today, and I see no other Senator seeking recognition, I now ask

unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 4:48 p.m., recessed until tomorrow, Tuesday, May 10, 1994, at 9:45 a.m.

NOMINATION

Executive nomination received by the Secretary of the Senate after the recess of the Senate on May 6, 1994, under authority of the order of the Senate of January 5, 1993:

DEPARTMENT OF VETERANS AFFAIRS

LINDA MARIE HOOKS, OF GEORGIA, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (ACQUISITION AND FACILITIES), VICE DAVID E. LEWIS, RESIGNED.